



*Prosper is a place where everyone matters.*

**Agenda**  
**Prosper Town Council Meeting**  
Council Chambers  
Prosper Town Hall  
250 W. First Street, Prosper, Texas  
Tuesday, October 27, 2020  
**5:45 PM**

### **Notice Regarding Public Participation**

Governor Greg Abbott has granted a temporary suspension of certain rules to allow for telephone or videoconference public meetings in an effort to reduce in-person meetings that assemble large groups of people, due to the COVID-19 public health emergency.

Individuals may attend the Prosper Town Council meeting in person, or access the meeting via videoconference, or telephone conference call.

**Join the Zoom Meeting** by clicking on the following link:

<https://us02web.zoom.us/j/87047432329>

Enter Meeting ID: 87047432329

To request to speak, click on “Participants” at the bottom of the screen, and click “Raise Hand.” The meeting moderator will acknowledge your request and allow you to speak.

**To join the meeting by phone, dial (346) 248-7799**

Enter Meeting ID: 87047432329

To request to speak, enter \*9, and \*6 to mute/unmute yourself. The meeting moderator will acknowledge your request and allow you to speak. When addressing the Council, please state your name and address before beginning your comments. Please limit your comments to three minutes.

**If you encounter any problems joining or participating in the meeting, please call our help line at 972-569-1191 for assistance.**

**Call to Order/ Roll Call.**

**Invocation, Pledge of Allegiance and Pledge to the Texas Flag.**

**Announcements of recent and upcoming events.**

### **CONSENT AGENDA:**

Items placed on the Consent Agenda are considered routine in nature and non-controversial. The Consent Agenda can be acted upon in one motion. Items may be removed from the Consent Agenda by the request of Council Members or staff.

- 1.** Consider and act upon the minutes of the October 13, 2020, Town Council meeting. **(ML)**
- 2.** Consider and act upon a resolution accepting and approving the 2020 Tax Roll. **(BP)**

3. Consider and act upon awarding RFP No. 2021-06-A for Dental Insurance for Town employees to Principal Life Insurance Company, effective January 1, 2021, and authorizing the Town Manager to execute all documents for the same. **(JE)**
4. Consider and act upon awarding CSP No. 2021-08-B to Durable Specialties, Inc., related to construction services for the Traffic Signal Construction at Fishtrap Road/Gee Road and Coit Road/Richland Boulevard project; and authorizing the Town Manager to execute a construction agreement for same. **(HW)**
5. Consider and act upon awarding CSP No. 2021-04-B to American Landscaping Systems, related to construction services for the West Prosper Road, Segment A Gee Road Landscape Architecture project; and authorizing the Town Manager to execute a construction agreement for same. **(HW)**
6. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the Town Council to the Development Services Department, pursuant to Chapter 4, Section 1.5(C)(7) and 1.6(B)(7) of the Town's Zoning Ordinance, regarding action taken by the Planning & Zoning Commission on any Site Plan or Preliminary Site Plan. **(AG)**

### **CITIZEN COMMENTS**

The public is invited to address the Council on any topic. However, the Council is unable to discuss or take action on any topic not listed on this agenda. Please complete a "Public Meeting Appearance Card" and present it to the Town Secretary prior to the meeting, or request to address the Council via videoconference or telephone.

### **REGULAR AGENDA:**

Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Council for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a non-public hearing item, they may either address the Council during the Citizen Comments portion of the meeting or when the item is considered by the Town Council.

### **Items for Individual Consideration:**

7. Conduct a Public Hearing and consider and act upon an ordinance administratively updating the Planning Context, Community Character, and Transportation chapters of the Comprehensive Plan, and updating the base maps of the Comprehensive Plan. (CA20-0002). **(AG)**
8. Discussion on a proposed Dallas North Tollway (DNT) Overlay District regarding permitted land uses. **(JW)**
9. Update on the status of the Green Ribbon Project along US 380 and US 289 (Preston Road). **(DR)**
10. Update on Prosper Christmas Festival. **(DR)**

### **EXECUTIVE SESSION:**

Recess into Closed Session in compliance with Section 551.001 et seq. Texas Government Code, as authorized by the Texas Open Meetings Act, to deliberate regarding:

*Section 551.087 – To discuss and consider economic development incentives.*

*Section 551.072 – To discuss and consider purchase, exchange, lease or value of real property for municipal purposes and all matters incident and related thereto.*

*Section 551-074 - To discuss and consider personnel matters and all matters incident and related thereto.*

**Reconvene in Regular Session and take any action necessary as a result of the Closed Session.**

**Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.**

**Adjourn.**

**CERTIFICATION**

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 250 W. First Street, Prosper, Texas 75078, a place convenient and readily accessible to the general public at all times, and said Notice was posted by 5:00 p.m., on Friday, October 23, 2020, and remained so posted at least 72 hours before said meeting was convened.

\_\_\_\_\_  
Melissa Lee, Town Secretary

\_\_\_\_\_  
Date Notice Removed

Pursuant to Section 551.071 of the Texas Government Code, the Town Council reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on this agenda.

**NOTICE**

Pursuant to Town of Prosper Ordinance No. 13-63, all speakers other than Town of Prosper staff are limited to three (3) minutes per person, per item, which may be extended for an additional two (2) minutes with approval of a majority vote of the Town Council.

**NOTICE OF ASSISTANCE AT PUBLIC MEETINGS:** The Prosper Town Council meetings are wheelchair accessible. For special services or assistance, please contact the Town Secretary's Office at (972) 569-1011 at least 48 hours prior to the meeting time.



*Prosper is a place where everyone matters.*

**Minutes**  
**Prosper Town Council Meeting**  
 Council Chambers  
 Prosper Town Hall  
 250 W. First Street, Prosper, Texas  
 Tuesday, October 13, 2020

**Call to Order/ Roll Call.**

The meeting was called to order at 5:47 p.m.

**Council Members Present:**

Mayor Ray Smith  
 Mayor Pro-Tem Curry Vogelsang, Jr.  
 Deputy Mayor Pro-Tem Jason Dixon  
 Councilmember Marcus E. Ray  
 Councilmember Craig Andres  
 Councilmember Jeff Hodges  
 Councilmember Meigs Miller

**Staff Members Present:**

Harlan Jefferson, Town Manager  
 Terry Welch, Town Attorney  
 Melissa Lee, Town Secretary  
 Robyn Battle, Executive Director of Community Services  
 Chuck Springer, Executive Director of Administrative Services  
 Betty Pamplin, Finance Director  
 January Cook, Purchasing Manager  
 Rebecca Zook, Executive Director of Development & Infrastructure Services  
 John Webb, Development Services Director  
 Hulon Webb, Engineering Services Director  
 Dan Heischman, Assistant Director of Engineering Services - Development  
 Alex Glushko, Planning Manager  
 Frank Jaromin, Director of Public Works  
 Leigh Johnson, Director of Information Technology  
 Dudley Raymond, Director of Parks and Recreation  
 Doug Kowalski, Police Chief  
 Stuart Blasingame, Fire Chief

**Invocation, Pledge of Allegiance and Pledge to the Texas Flag.**

Police Chaplain Cedric White led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were recited.

**Announcements of recent and upcoming events.**

Councilmember Ray read the announcements.

The Town Council would like to thank everyone who participated in the Police Station Ribbon Cutting Ceremony and National Night Out on October 6. The new Police Station is located on Safety Way between the Dallas North Tollway and Cook Lane, and features a command center, administrative offices, briefing rooms, locker rooms for staff, and a communications center for 9-

1-1 calls. We appreciate everyone who has contributed to the design, construction, and opening of this new facility, and those who have shown support for the Prosper Police Department.

Residents are invited to “Light Our Town Red” in support of Fire Prevention Month. The Town of Prosper, Prosper ISD, and local community groups are showing support for our Fire Department through the month of October. Prosper Town Hall, the Gateway Monument on Preston Road, and the PISD Football Stadium will be illuminated in red each night, and we encourage residents to do the same by adding red light bulbs to your front porch light and/or landscape lighting to show your support.

Early Voting for the November 3 Election began today and runs through October 30th. Prosper Voters who live in Collin County may vote at Town Hall for Early Voting and Election Day. Collin County voters may also vote at Gateway Church on Prosper Trail Election Day. Denton County voters may vote at any early voting location during early voting, and at St. Martin de Porres Catholic Church on Election Day. Please check the Town’s Facebook page, or the Collin County or Denton County Elections websites for more information.

The Virtual Visit with the Mayor is scheduled for tomorrow, October 14th, at 11am. Traditionally hosted as the Mayor’s Luncheon, the annual event for Active Adults age 55 and older will be conducted virtually this year via Zoom. Please check the Events Calendar on the Town Website, or the Parks and Recreation Facebook page for more information.

Councilmember Hodges wished Dak Prescott, Cowboys quarterback and Prosper resident, a speedy recovery.

Council wished Mayor Smith a Happy Birthday.

**CONSENT AGENDA:**

**Zoning-related Public Hearing items on the Consent Agenda have received a unanimous recommendation for approval by the Planning & Zoning Commission, and no written opposition was received prior to the posting of this agenda. Those wishing to speak on a Public Hearing item on the Consent Agenda should click on “Participants” at the bottom of the screen, and click “Raise Hand.” The meeting moderator will acknowledge your request and allow you to speak.**

1. **Consider and act upon the minutes from the September 1, 2020, Town Council Joint Meeting. (ML)**
2. **Consider and act upon the minutes from the September 22, 2020, Town Council Meeting. (ML)**
3. **Receive the August financial report. (BP)**
4. **Consider and act upon Resolution No. 2020-76 expressing official intent to reimburse costs of Town capital improvement program projects that may be funded with proceeds of bonds or other obligations, if those costs are paid prior to the issuance of such bonds or obligations. (BP)**
5. **Consider and act upon authorizing the Town Manager to accept a grant award from the Federal Emergency Management Agency (FEMA) through Texas Department of Emergency Management (TDEM) (SB)**

6. **Consider and act upon authorizing the Town Manager to execute an Escrow Agreement between the Prosper Independent School District and the Town of Prosper, Texas, related to the future construction of improvements on Frontier Parkway and Fishtrap Road. (HW)**
7. **Conduct a Public Hearing and consider and act upon Ordinance No. 2020-77 rezoning 1.4± acres from Single Family-15 (SF-15) to Downtown Single Family (DTSF), located on the south side of Third Street, east of Coleman Street. (Z20-0017). (AG)**
8. **Consider and act upon authorizing the Town Manager to execute an Interlocal Agreement for Geographic Information System (GIS) services between the Town of Prosper and the City of Frisco. (AG)**
11. **Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the Town Council to the Development Services Department, pursuant to Chapter 4, Section 1.5(C)(7) and 1.6(B)(7) of the Town's Zoning Ordinance, regarding action taken by the Planning & Zoning Commission on any Site Plan or Preliminary Site Plan. (AG)**

Deputy Mayor Pro-Tem Dixon removed items 9 and 10 from the Consent agenda.

Councilmember Hodges made a motion and Councilmember Andres seconded the motion to approve Items 1 – 8 and Item 11 on the Consent agenda.

The motion was approved by a vote of 7-0.

9. **Consider and act upon a Site Plan, Landscape Plan, and Façade Plan for an auto parts retail store (AutoZone), on 1.0± acre, located on the east side of Preston Road, north of Prosper Trail. The property is zoned Planned Development-68 (PD-68). (D20-0028). (AG)**
10. **Consider and act upon authorizing the Town Manager to execute a First Amended Development Agreement between MQ Prosper Retail LLC and the Town of Prosper, Texas, related to the Shops at Prosper Trail retail development. (AG)**

Deputy Mayor Pro-Tem Dixon mad a motion and Mayor Pro-Tem Vogelsang seconded the motion to table Items 9 & 10 from the Consent agenda to the November 10, 2020, Town Council meeting to allow for additional review.

The motion was approved by a vote of 7-0.

### **CITIZEN COMMENTS**

Arlyn Samuelson, Project Manager for Westwood, was available for any questions Council may have on Items 9 & 10 listed on the Consent agenda. Mayor Smith requested Mr. Samuelson to speak with Town staff.

### **REGULAR AGENDA:**

### **Items for Individual Consideration:**

**12. Consider and act upon awarding Bid No. 2021-03-B to Mario Sinacola & Sons Excavating, Inc., related to construction services for the Cook Lane Phase I project; and authorizing the Town Manager to execute a construction agreement for same. (HW)**

Hulon Webb, Engineering Services Director, provided an overview of Bid No. 2021-03-B to Mario Sinacola & Sons Excavating, Inc., related to construction services for the Cook Lane Phase I project. The project includes the extension of 2,300 linear feet of Cook Lane (37' wide concrete) from the Public Safety Facility site to First Street. The project also includes the installation of a water line and underground drainage system for the roadway with a substantial drainage culvert system under the road at the creek crossing near the Public Safety Facility.

After taking into consideration cost and time, Mario Sinacola & Sons Excavating, Inc, submitted the lowest bid of \$1,741,064.50 (with alternate bid), with a final completion of 150 calendar days. Mario Sinacola & Sons Excavating, Inc., recently completed the construction of Fishtrap Road from Teel Parkway to Stuber Elementary School project, successfully constructed the Safety Way (E-W Collector) project in front of the Public Safety Facility, and is now working on the construction of the Prosper Trail (Coit Road – Custer Road) project. Staff checked the references provided and received positive feedback.

Councilmember Hodges inquired about the final inspection and the two year warranty assessment inspection, specifically, who would complete it. Mr. Webb responded David Stover, the Town's Senior Construction Inspector. Deputy Mayor Pro-Tem Dixon asked if the project could be started this year. Mr. Webb discussed the bid award process and timeframe noting that this project was scheduled to begin towards the end of the year.

After discussion Councilmember Miller made a motion and Councilmember Hodges seconded the motion to approve awarding Bid No. 2021-03-B to Mario Sinacola & Sons Excavating, Inc., related to construction services for the Cook Lane Phase I project; and authorizing the Town Manager to execute a construction agreement for same.

The motion was approved by a vote of 7-0.

**EXECUTIVE SESSION:**

**Recess into Closed Session in compliance with Section 551.001 et seq. Texas Government Code, as authorized by the Texas Open Meetings Act, to deliberate regarding:**

***Section 551.087 – To discuss and consider economic development incentives.***

***Section 551.072 – To discuss and consider purchase, exchange, lease or value of real property for municipal purposes and all matters incident and related thereto.***

***Section 551-074 - To discuss and consider personnel matters and all matters incident and related thereto.***

**Section 551.071 – Consultation with Town Attorney regarding legal issues associated with Fifth Circuit opinion in Reagan National Advertising v. City of Austin, and all matters incident and related thereto**

The Town Council recessed into Executive Session at 6:06 p.m.

**Reconvene in Regular Session and take any action necessary as a result of the Closed Session.**

The Town Council reconvened the Regular Session at 7:48 p.m.

**Possibly direct Town staff to schedule topic(s) for discussion at a future meeting**

No topics were identified for a future meeting.

**Adjourn.**

The meeting was adjourned at 7:49 p.m. on Tuesday, October 13, 2020.

These minutes approved on the 27th day of October 2020.

**APPROVED:**

\_\_\_\_\_  
**Ray Smith, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Melissa Lee, Town Secretary**



# FINANCE



**To: Mayor and Town Council**

**From: Betty Pamplin, Finance Director**

**Through: Harlan Jefferson, Town Manager  
Chuck Springer, Executive Director of Administrative Services**

**Re: Town Council Meeting – October 27, 2020**

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**Agenda Item:**

Consider and act upon a resolution accepting and approving the 2020 Tax Roll. **(BP)**

**Description of Agenda Item:**

The Texas Property Tax Code, Section 26.09 (e) requires the Town Council to approve the Appraised Roll with tax amounts entered by the Assessor. The Collin County Tax Assessor Collector provided the attached 2020 Tax Roll Summary with a total levy of \$26,365,606.97. Although the enclosed document is titled “Collin County,” this refers to the Tax Assessor Collector, who performs tax collection for Prosper properties in both Collin and Denton Counties.

**Legal Obligations and Review:**

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the attached resolution as to form and legality. Council approval of this resolution is required by the Texas Property Tax Code, Section 26.09 (e).

**Attached Documents:**

- 1. Resolution
- 2. 2020 Tax Roll Summary

**Town Staff Recommendation:**

Town staff recommends that the Town Council approve the resolution accepting and approving the 2020 Tax Roll as provided by the Assessor.

**Proposed Motion:**

I move to approve the resolution accepting and approving the 2020 Tax Roll.

TOWN OF PROSPER, TEXAS

RESOLUTION NO. 2020-

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ACCEPTING AND APPROVING THE 2020 TAX ROLL; RESOLVING OTHER MATTERS RELATING TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 26.09(e) of the Texas Property Tax Code requires the Town Council to approve the Tax Roll; and

**WHEREAS**, the Town received notification from the Collin County Tax Assessor Collector as to the Tax Roll jurisdiction summary as of October 1, 2020, and

**WHEREAS**, a summary statement of said 2020 Tax Roll is attached hereto as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:**

**SECTION 1**

All matters stated in the preamble of this Resolution are true and correct and are hereby incorporated into the body of this Resolution as if copied in their entirety.

**SECTION 2**

The Town Council of the Town of Prosper, Texas, does hereby accept and approve the 2020 Tax Roll as submitted by the Collin County Tax Assessor Collector.

**SECTION 3**

The attached Exhibit A constitutes the official Town of Prosper 2020 Tax Roll, containing a tax levy of \$26,365,606.97.

**SECTION 4**

This Resolution is effective on the date of passage by the Town Council.

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 27TH DAY OF OCTOBER, 2020.**

\_\_\_\_\_  
Ray Smith, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Lee, Town Secretary

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Terrence S. Welch, Town Attorney



**KENNETH L. MAUN**  
**TAX ASSESSOR COLLECTOR**  
**COLLIN COUNTY**  
2300 Bloomdale Road, Suite 2366  
P.O. Box 8006  
McKinney, TX 75070-8006  
(972) 547-5020  
Fax: (214) 491-4808  
Email: kmaun@collincountytx.gov

October 5, 2020

Ray Smith, Mayor  
Town of Prosper  
P.O. Box 307  
Prosper, TX 75078

Dear Mayor Smith,

Attached is the 2020 Tax Roll Summary for Town of Prosper.

Submission of the 2020 Tax Roll to your governing body for approval, in accordance with *Texas Property Tax Code*, Section 26.09, will constitute the 2020 Tax Roll for Town of Prosper.

Please provide my office a copy of your ordinance approving the Tax Roll at your earliest convenience. While this is a formality in the Texas Property Tax Code, we do want to fulfill the requirements of the law and do appreciate your cooperation.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Ken Maun".

Kenneth L. Maun  
Tax Assessor Collector

KLM:ket

Enclosure

cc: Harlan Jefferson  
Betty Pamplin  
Melissa Lee

## 2020 TAX ROLL SUMMARY

05 - PROSPER CITY

|   | Amount                 | Count  |
|---|------------------------|--------|
| NUMBER OF ACCOUNTS                              |                        | 13,048 |
| MARKET VALUES                                   |                        |        |
| ROLLCODE: MOBILE HOME                           |                        |        |
| Improvement                                     | \$110,812              |        |
| ROLLCODE: PERSONAL                              |                        |        |
| Personal  | \$223,546,648          |        |
| ROLLCODE: REAL                                  |                        |        |
| Agriculture                                     | \$860,408,602          |        |
| Improvement                                     | \$3,283,375,438        |        |
| Improvement Non-Home Site                       | \$688,672,442          |        |
| Land  | \$1,207,768,459        |        |
| Land Ag Land                                    | \$930,149              |        |
| Land Non-Home Site                              | \$747,626,919          |        |
| <b>TOTAL MARKET VALUE</b>                       | <b>\$7,012,439,469</b> |        |
| DEFERRALS                                       |                        |        |
| Ag  | \$860,408,602          | 258    |
| <b>TOTAL DEFERRALS</b>                          | <b>\$860,408,602</b>   |        |
| EXEMPTIONS                                      |                        |        |
| Absolute Exemption                              | \$98,746               | 2      |
| Autos , XO , PPV , XO , PPV                     | \$49,574,179           | 21     |
| Cap Adjustment , XT , XT                        | \$13,683,601           | 397    |
| Disabled  | \$205,500              | 76     |
| Disabled Veteran                                | \$60,259,637           | 330    |
| Energy , XR , XR                                | \$74,220               | 1      |
| Homestead                                       | \$347,437,851          | 6,579  |
| Miscellaneous , XV , XV                         | \$544,738,474          | 478    |
| Nominal Value                                   | \$8,670                | 45     |
| Over 65   | \$10,149,320           | 1,064  |
| Pollution Control                               | \$2,582,009            | 7      |
| Solar/Wind                                      | \$27,129               | 1      |
| <b>TOTAL EXEMPTIONS</b>                         | <b>\$1,028,839,336</b> |        |
| <b>GRAND TOTAL FOR DEFERRALS AND EXEMPTIONS</b> | <b>\$1,889,247,938</b> |        |
| <b>TOTAL MARKET VALUE</b>                       | <b>\$7,012,439,469</b> |        |
| <b>TAXABLE VALUE</b>                            | <b>\$5,123,191,531</b> |        |
| <b>TAX RATE</b>                                 | <b>0.52</b>            |        |
| ROLLCODE: MOBILE HOME                           |                        |        |
| Levy  | \$531.37               | 24     |
| ROLLCODE: PERSONAL                              |                        |        |
| Levy  | \$875,118.67           | 830    |
| ROLLCODE: REAL                                  |                        |        |
| Levy  | \$25,489,956.93        | 12,194 |
| <b>TOTAL LEVY</b>                               | <b>\$26,365,606.97</b> |        |
| <b>LEVY LOST DUE TO FROZEN</b>                  | <b>\$274,988.72</b>    |        |
| <b>OTHER LOST LEVY</b>                          | <b>\$0.00</b>          |        |
| <b>TOTAL LOST LEVY</b>                          | <b>\$274,988.72</b>    |        |

## 2020 TAX ROLL SUMMARY

05 - PROSPER CITY

**Calculation Analysis**

|                                | <b>Calc Levy</b> | <b>- Tax Amount</b> | <b>=</b> | <b>Diff.</b> | <b>Market Value</b> | <b>Exemption</b> | <b>Taxable Value</b> |
|--------------------------------|------------------|---------------------|----------|--------------|---------------------|------------------|----------------------|
| <b>Frozen</b>                  | 2,107,435.96     | 1,832,447.24        |          | 274,988.72   | 483,036,742         | 77,760,604       | 405,276,138          |
| <b>DV100 (Excl. Frozen)</b>    | 3,485.68         | 3,485.68            |          | 0.00         | 45,739,930          | 44,969,811       | 770,119              |
| <b>Prorated (Excl. Frozen)</b> | 0.00             | 0.00                |          | 0.00         | 0                   | 0                | 0                    |
| <b>Other</b>                   | 24,529,674.05    | 24,529,674.05       |          | 0.00         | 6,483,662,797       | 1,766,517,523    | 4,717,145,274        |
| <b>Total</b>                   | 26,640,595.69    | 26,365,606.97       |          | 274,988.72   | 7,012,439,469       | 1,889,247,938    | 5,123,191,531        |
| <b>DV100 (Incl. Frozen)</b>    | 2,576.58         | 0.00                |          | 2,576.58     | 13,404,765          | 12,591,011       | 813,754              |
| <b>Prorated (Incl. Frozen)</b> | 0.00             | 0.00                |          | 0.00         | 0                   | 0                | 0                    |

## HUMAN RESOURCES



**To:** Mayor and Town Council

**From:** James Edwards, Director of Human Resources

**Through:** Harlan Jefferson, Town Manager  
Chuck Springer, Executive Director of Administrative Services

**Re:** Town Council Meeting – October 27, 2020

**Agenda Item:**

Consider and act upon awarding RFP No. 2021-06-A for Dental Insurance for Town employees to Principal Life Insurance Company, effective January 1, 2021, and authorizing the Town Manager to execute all documents for the same.

**Description of Agenda Item:**

The Town's current dental provider, Cigna, offered a renewal rate increase of 4% over last year. Due to this rate increase it was decided to ask McGriff Insurance Services to request proposals (RFP No. 2021-06-A) from qualified providers for Dental Benefits on the Town's behalf. McGriff received six responses by the due date and time. Based on the analysis provided by McGriff, Principal Life Insurance Company Provided the best quote. Principal quoted a 4.76% rate reduction from the current Town rates with a two-year rate guarantee.

**Budget Impact:**

The Town's FY 2019-2020 budget account number 730-5165-10-00 for dental insurance was \$204,315.72, Principal quoted a two-year rate of reduction of 4.7% for an annual savings of \$9,731.40.

**Legal Obligations and Review:**

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the Principal Life Insurance Company Outside Party Service Agreement, Texas Employer Application, and Electronic Consent form and as to their form and legality.

**Attached Documents:**

1. Dental Marketing Analysis Report
2. Principal Service Agreements

**Town Staff Recommendation:**

Town staff recommends awarding RFP No. 2021-06-A for Dental Insurance to Town employees to Principal Life Insurance Company, and authorizing the Town Manager to execute all documents for the same.

**Proposed Motion:**

I move to award RFP No. 2021-06-A for Dental Insurance provider to Principal Life Insurance Company, and authorize the Town Manager to execute all documents for the same.



# Dental Marketing Analysis

## Presented by:

**Lance Pendley**, Senior Vice President

**Cristina Palacios**, Account Executive



# Town of Prosper Dental Marketing Analysis Effective: 1/1/2021

Item 3.

| Benefits                          | Current                     |                             | Renewal                     |                             | Proposed - Basic            | Proposed - BuyUp            | Proposed - Basic                      | Proposed - BuyUp                      |              |             |
|-----------------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|---------------------------------------|---------------------------------------|--------------|-------------|
|                                   | Cigna<br>Basic Plan         | Cigna<br>BuyUp Plan         | Cigna<br>Basic Plan         | Cigna<br>BuyUp Plan         | Delta Dental<br>Premier PPO | Delta Dental<br>Premier PPO | MetLife<br>Custom Primary<br>Flex PPO | MetLife<br>Custom Primary<br>Flex PPO |              |             |
| Deductible                        | \$50 Single<br>\$150 Family | \$50 Single<br>\$150 Family | \$50 Single<br>\$150 Family | \$50 Single<br>\$150 Family | \$50 Single<br>\$150 Family | \$50 Single<br>\$150 Family | \$50 Single<br>\$150 Family           | \$50 Single<br>\$150 Family           |              |             |
| Waived for Preventive             | Yes                         | Yes                         | Yes                         | Yes                         | Yes                         | Yes                         | Yes                                   | Yes                                   |              |             |
| Waiting Period                    | None                        | None                        | None                        | None                        | None                        | None                        | None                                  | None                                  |              |             |
| Preventive                        | 100%                        | 100%                        | 100%                        | 100%                        | 100%                        | 100%                        | 100%                                  | 100%                                  |              |             |
| Basic                             | 80%                         | 80%                         | 80%                         | 80%                         | 80%                         | 80%                         | 80%                                   | 80%                                   |              |             |
| Major                             | 50%                         | 50%                         | 50%                         | 50%                         | 50%                         | 50%                         | 50%                                   | 50%                                   |              |             |
| Endodontics & Periodontics        | Major                       | Basic                       | Major                       | Basic                       | Major                       | Basic                       | Major                                 | Basic                                 |              |             |
| Calendar Year Maximum             | \$1,500                     | \$2,000                     | \$1,500                     | \$2,000                     | \$1,500                     | \$2,000                     | \$1,500                               | \$2,000                               |              |             |
| R&C Percentile                    | 90%                         | 90%                         | 90%                         | 90%                         | 90%                         | 90%                         | 90%                                   | 90%                                   |              |             |
| Orthodontia                       | N/A                         | 50%                         | N/A                         | 50%                         | N/A                         | 50%                         | N/A                                   | 50%                                   |              |             |
| Orthodontia Coverage              |                             | Adult & Child               |                             | Adult & Child               |                             | Adult & Child               |                                       |                                       |              |             |
| Orthodontia Maximum               |                             | \$2,000                     |                             | \$2,000                     |                             | \$2,000                     |                                       |                                       |              |             |
| Rate Guarantee                    | -                           | 1 year-<br>until12/31/2021  | -                           | 1 year-<br>until12/31/2021  | 1 year-until12/31/2021      | 1 year-<br>until12/31/2021  | 1 year-<br>until12/31/2021            | 1 year-<br>until12/31/2021            |              |             |
| <b>Dental Rates</b>               | <b>Opt 1</b>                | <b>Opt 2</b>                |                             |                             |                             |                             |                                       |                                       |              |             |
| Employee Only                     | 69                          | 30                          | \$34.02                     | \$40.93                     | \$35.38                     | \$42.57                     | \$43.45                               | \$52.28                               | \$34.02      | \$40.93     |
| Employee + Spouse                 | 23                          | 7                           | \$72.10                     | \$95.99                     | \$74.98                     | \$99.83                     | \$92.09                               | \$122.60                              | \$72.10      | \$95.99     |
| Employee + Child(ren)             | 35                          | 12                          | \$81.92                     | \$118.61                    | \$85.20                     | \$123.35                    | \$104.63                              | \$151.49                              | \$81.92      | \$118.61    |
| Employee + Family                 | 30                          | 18                          | \$124.05                    | \$172.71                    | \$129.01                    | \$179.62                    | \$158.44                              | \$220.59                              | \$124.05     | \$172.71    |
| <b>Monthly Total</b>              | 157                         | 67                          | \$10,594.38                 | \$6,431.93                  | \$11,018.06                 | \$6,689.27                  | \$13,531.37                           | \$8,215.10                            | \$10,594.38  | \$6,431.93  |
| <b>Annual Total</b>               |                             |                             | \$127,132.56                | \$77,183.16                 | \$132,216.72                | \$80,271.24                 | \$162,376.44                          | \$98,581.20                           | \$127,132.56 | \$77,183.16 |
| <b>Combined Annual Total</b>      |                             |                             | \$204,315.72                |                             | \$212,487.96                |                             | \$260,957.64                          |                                       | \$204,315.72 |             |
| <b>\$ Difference Over Current</b> |                             |                             | -                           |                             | \$8,172.24                  |                             | \$56,641.92                           |                                       | \$0.00       |             |
| <b>% Difference Over Current</b>  |                             |                             | -                           |                             | 4.00%                       |                             | 27.72%                                |                                       | 0.00%        |             |

2nd & 3rd year rate cap 5%



# Town of Prosper Dental Marketing Analysis Effective: 1/1/2021

Item 3.

|                                   | Current                     |                             | Proposed - Basic 1          |                             | Proposed - BuyUp 1          |                             | Proposed - Basic 2          |                             | Proposed - BuyUp 2          |                             |
|-----------------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| Benefits                          | Cigna<br>Basic Plan         | Cigna<br>BuyUp Plan         | Principal<br>Dental PPO     | Principal<br>Dental PPO     | Principal<br>Dental PPO     | Principal<br>Dental PPO     | Principal<br>Dental PPO     | Principal<br>Dental PPO     | Principal<br>Dental PPO     | Principal<br>Dental PPO     |
| Deductible                        | \$50 Single<br>\$150 Family | \$50 Single<br>\$150 Family | \$50 Single<br>\$150 Family | \$50 Single<br>\$150 Family | \$50 Single<br>\$150 Family | \$50 Single<br>\$150 Family | \$50 Single<br>\$150 Family | \$50 Single<br>\$150 Family | \$50 Single<br>\$150 Family | \$50 Single<br>\$150 Family |
| Waived for Preventive             | Yes                         | Yes                         | Yes                         | Yes                         | Yes                         | Yes                         | Yes                         | Yes                         | Yes                         | Yes                         |
| Waiting Period                    | None                        | None                        | None                        | None                        | None                        | None                        | None                        | None                        | None                        | None                        |
| Preventive                        | 100%                        | 100%                        | 100%                        | 100%                        | 100%                        | 100%                        | 100%                        | 100%                        | 100%                        | 100%                        |
| Basic                             | 80%                         | 80%                         | 80%                         | 80%                         | 80%                         | 80%                         | 80%                         | 80%                         | 80%                         | 80%                         |
| Major                             | 50%                         | 50%                         | 50%                         | 50%                         | 50%                         | 50%                         | 50%                         | 50%                         | 50%                         | 50%                         |
| Endodontics & Periodontics        | Major                       | Basic                       | Major                       | Basic                       | Major                       | Basic                       | Major                       | Basic                       | Major                       | Basic                       |
| Calendar Year Maximum             | \$1,500                     | \$2,000                     | \$1,500                     | \$2,000                     | \$1,500                     | \$2,000                     | \$1,500                     | \$2,000                     | \$1,500                     | \$2,000                     |
| R&C Percentile                    | 90%                         | 90%                         | 90%                         | 90%                         | 90%                         | 90%                         | 90%                         | 90%                         | 90%                         | 90%                         |
| Orthodontia                       |                             | 50%                         |                             | 50%                         |                             | 50%                         |                             | 50%                         |                             | 50%                         |
| Orthodontia Coverage              | N/A                         | Adult & Child               | N/A                         | Adult & Child               | N/A                         | Adult & Child               | N/A                         | Adult & Child               | N/A                         | Adult & Child               |
| Orthodontia Maximum               |                             | \$2,000                     |                             | \$2,000                     |                             | \$2,000                     |                             | \$2,000                     |                             | \$2,000                     |
| Rate Guarantee                    | -                           | 1 year-<br>until12/31/2021  | 1 year-until12/31/2021      | 1 year-until12/31/2021      | 1 year-until12/31/2021      | 1 year-until12/31/2021      | 2 years-until<br>12/31/2022 | 2 years-until<br>12/31/2022 | 2 years-until<br>12/31/2022 | 2 years-until<br>12/31/2022 |
| <b>Dental Rates</b>               | <b>Opt 1</b>                | <b>Opt2</b>                 |                             |                             |                             |                             |                             |                             |                             |                             |
| Employee Only                     | 69                          | 30                          | \$34.02                     | \$40.93                     | \$31.77                     | \$38.22                     | \$32.40                     | \$38.98                     | \$32.40                     | \$38.98                     |
| Employee + Spouse                 | 23                          | 7                           | \$72.10                     | \$95.99                     | \$67.32                     | \$89.63                     | \$68.66                     | \$91.42                     | \$68.66                     | \$91.42                     |
| Employee + Child(ren)             | 35                          | 12                          | \$81.92                     | \$118.61                    | \$76.50                     | \$110.75                    | \$78.02                     | \$112.96                    | \$78.02                     | \$112.96                    |
| Employee + Family                 | 30                          | 18                          | \$124.05                    | \$172.71                    | \$115.83                    | \$161.27                    | \$118.14                    | \$164.49                    | \$118.14                    | \$164.49                    |
| <b>Monthly Total</b>              | 157                         | 67                          | \$10,594.38                 | \$6,431.93                  | \$9,892.89                  | \$6,005.87                  | \$10,089.68                 | \$6,125.68                  | \$10,089.68                 | \$6,125.68                  |
| <b>Annual Total</b>               |                             |                             | \$127,132.56                | \$77,183.16                 | \$118,714.68                | \$72,070.44                 | \$121,076.16                | \$73,508.16                 | \$121,076.16                | \$73,508.16                 |
| <b>Combined Annual Total</b>      |                             |                             | \$204,315.72                |                             | \$190,785.12                |                             | \$194,584.32                |                             |                             |                             |
| <b>\$ Difference Over Current</b> |                             |                             | -                           |                             | (\$13,530.60)               |                             | (\$9,731.40)                |                             |                             |                             |
| <b>% Difference Over Current</b>  |                             |                             | -                           |                             | -6.62%                      |                             | -4.76%                      |                             |                             |                             |

Laser vision correction discount, hearing aid program, vision care discounts & dental health edge - resource for dental decision making

# Town of Prosper Dental Marketing Analysis Effective: 1/1/2021

Item 3.

Current                      Proposed - Basic    Proposed - Buy - Up    Proposed - Basic 1    Proposed - BuyUp 1    Proposed - Basic 2    Proposed - BuyUp 2

| Benefits                          | Cigna<br>Basic Plan         | Cigna<br>BuyUp Plan         | UHC<br>Options PPO 30<br>15155476 CS7 | UHC<br>Options PPO 30<br>15155582 CS0 | United Concordia<br>Concordia Flex PPO<br>FPlan3c Elite Plus | United Concordia<br>Concordia Flex PPO<br>FPlan3w Elite Plus | United Concordia<br>Concordia Flex PPO<br>FPlan3c Elite Plus | United Concordia<br>Concordia Flex PPO<br>FPlan3w Elite Plus |              |             |
|-----------------------------------|-----------------------------|-----------------------------|---------------------------------------|---------------------------------------|--|--|--|--|--------------|-------------|
| Deductible                        | \$50 Single<br>\$150 Family | \$50 Single<br>\$150 Family | \$50 Single<br>\$150 Family           | \$50 Single<br>\$150 Family           | \$50 Single<br>\$150 Family                                  | \$50 Single<br>\$150 Family                                  | \$50 Single<br>\$150 Family                                  | \$50 Single<br>\$150 Family                                  |              |             |
| Waived for Preventive             | Yes                         | Yes                         | Yes                                   | Yes                                   | Yes  | Yes  | Yes  | Yes  |              |             |
| Waiting Period                    | None                        | None                        | None                                  | None                                  | None   | None   | None   | None   |              |             |
| Preventive                        | 100%                        | 100%                        | 100%                                  | 100%                                  | 100%*  | 100%*  | 100%*  | 100%*  |              |             |
| Basic                             | 80%                         | 80%                         | 80%                                   | 80%                                   | 80%  | 80%  | 80%  | 80%  |              |             |
| Major                             | 50%                         | 50%                         | 50%                                   | 50%                                   | 50%  | 50%  | 50%  | 50%  |              |             |
| Endodontics & Periodontics        | Major                       | Basic                       | Major                                 | Basic                                 | Major  | Basic  | Major  | Basic  |              |             |
| Calendar Year Maximum             | \$1,500                     | \$2,000                     | \$1,500                               | \$2,000                               | \$1,500  | \$2,000  | \$1,500  | \$2,000  |              |             |
| R&C Percentile                    | 90%                         | 90%                         | 90%                                   | 90%                                   | 90%  | 90%  | 90%  | 90%  |              |             |
| Orthodontia                       |                             | 50%                         |                                       | 50%                                   |  | 50%  |  | 50%  |              |             |
| Orthodontia Coverage              | N/A                         | Adult & Child               | N/A                                   | Adult & Child                         | N/A  | Adult & Child  | N/A  | Adult & Child  |              |             |
| Orthodontia Maximum               |                             | \$2,000                     |                                       | \$2,000                               |  | \$2,000  |  |  |              |             |
| Rate Guarantee                    | -                           | 1 year-<br>until12/31/2021  | 1 year-<br>until12/31/2021*           | 1 year-until12/31/2021*               | 1 year-<br>until12/31/2021                                   | 1 year-until12/31/2021                                       | 2 years-until<br>12/31/2022                                  | 2 years-until<br>12/31/2022                                  |              |             |
| <b>Dental Rates</b>               | <b>Opt 1</b>                | <b>Opt2</b>                 |                                       |                                       |  |  |  |  |              |             |
| Employee Only                     | 69                          | 30                          | \$34.02                               | \$40.93                               | \$39.87  | \$47.97  | \$37.84  | \$45.53  | \$39.10      | \$47.04     |
| Employee + Spouse                 | 23                          | 7                           | \$72.10                               | \$95.99                               | \$84.50  | \$112.50   | \$80.20  | \$106.78   | \$82.86      | \$110.32    |
| Employee + Child(ren)             | 35                          | 12                          | \$81.92                               | \$118.61                              | \$96.01  | \$139.01   | \$91.13  | \$131.94   | \$94.15      | \$136.32    |
| Employee + Family                 | 30                          | 18                          | \$124.05                              | \$172.71                              | \$145.38   | \$202.42   | \$137.99   | \$192.12   | \$94.15      | \$198.49    |
| <b>Monthly Total</b>              | 157                         | 67                          | \$10,594.38                           | \$6,431.93                            | \$12,416.28  | \$7,538.28   | \$11,784.81  | \$7,154.80   | \$10,723.43  | \$7,392.10  |
| <b>Annual Total</b>               |                             |                             | \$127,132.56                          | \$77,183.16                           | \$148,995.36   | \$90,459.36  | \$141,417.72   | \$85,857.60  | \$128,681.16 | \$88,705.20 |
| <b>Combined Annual Total</b>      |                             |                             | \$204,315.72                          |                                       | \$239,454.72   |  | \$227,275.32   |  | \$217,386.36 |             |
| <b>\$ Difference Over Current</b> |                             |                             | -                                     |                                       | \$35,139.00  |  | \$22,959.60  |  | \$13,070.64  |             |
| <b>% Difference Over Current</b>  |                             |                             | -                                     |                                       | 17.20%   |  | 11.24%   |  | 6.40%        |             |

\*If sold will move to 2 year rate guarantee since medical is with UMR.  
\$2 pepm savings to UMR rates if sold & will include technology credit of \$3750 to assist with transition.  
Can add link in UMR portal to UHC dental provider search tool. Can integrate dental and medical billing together.





Mailing Address: Principal Life Insurance Company | Employer Application for Group Insurance - TX  
Des Moines, IA 50392-0002

PLEASE USE BLACK INK

To avoid processing delays, please make sure you answer all questions completely and accurately. For an amendment to an existing account, if no changes are noted in the sections below, current elections will remain in effect.

This form is for:  new case  amendment Account number \_\_\_\_\_

Requested effective date: 1/1/2021

Employer Information (if this is an amendment, only complete information that is changing)

|                          |                       |
|--------------------------|-----------------------|
| Legal name of company    | Federal tax ID number |
| Town of Prosper          | 75-6000642            |
| DBA name (if applicable) |                       |

|                         |         |       |          |
|-------------------------|---------|-------|----------|
| Physical street address | City    | State | ZIP code |
| 250 W First St          | Prosper | TX    | 75078    |

Affiliate/Subsidiary Information (if this is an amendment, only complete information that is changing)

Are employees of any associated business organizations (e.g. parent-subsidiary, brother-sister relationships, affiliated groups, etc.) to be covered?  yes  no If yes, please list the affiliate or subsidiary below.

Participating unit is an entity that is an affiliate or subsidiary related to the employer through common control or ownership.

| Unit name/address/federal tax ID | Nature of business | Relationship to company | Number of employees |
|----------------------------------|--------------------|-------------------------|---------------------|
| 1.                               |                    |                         |                     |
| 2.                               |                    |                         |                     |

Request for Benefits (if adding new coverage(s) to an existing account, provide new proposal number)

By signing this Application form, you are confirming that you agree with all the benefit plan provisions that you are applying for as outlined in your proposal # F092320100843. Do you agree?  yes  no

Employee Eligibility (if this is an amendment, only complete information that is changing)

- standard - An employee must work at least 30 hours per week to be eligible for insurance.
- other (select between 20 and 40 hours): \_\_\_\_\_

Do you have employees or their dependents residing or working outside the United States and requesting coverage?

- yes  no If yes, please include a separate sheet including their name(s), dates of birth, salary and class of employee, where they are located and how long they will be located there for work.

It is understood that Principal Life shall not be responsible for any tax or legal aspects of the plan. The employer assumes responsibility for these matters. The employer acknowledges that they have counseled to the extent necessary with selected legal and tax advisors. The obligations of Principal Life shall be governed solely by the provisions of its contracts and policies. Principal Life shall not be required to look into any action taken by the named fiduciary or the employer and shall be fully protected in taking, permitting, or omitting any action on the basis of the employer's actions. Principal Life shall incur no liability or responsibility for carrying out actions as directed by the named fiduciary or the employer.

It is further understood that by signing this application, the employer is purchasing insurance and not making an investment. No reserves, undeclared or unpaid experience premium refunds, or interest with respect to claim payments, nor claim proceeds themselves shall be considered plan assets under ERISA.

The Employee Retirement Income Security Act of 1974 (ERISA) requires that each employee benefit plan subject to the Act designate a "Named Fiduciary who shall have authority to control and manage the operation and administration of the plan."

**If this plan is subject to ERISA, you must indicate a Named Fiduciary for this plan. Principal Life may not be designated as Named Fiduciary.**

- The employer has been informed of the eligibility requirements. The employer agrees that insurance applied for shall not become effective or remain effective unless the employer: a) is actively engaged in business for profit within the meaning of the Internal Revenue Code, or is established as a legitimate nonprofit organization within the meaning of the Internal Revenue Code; or is a government agency; and b) meets the participation and contribution requirements.
- The employer agrees that insurance applied for shall not become effective unless the application and any attached page(s) are received, accepted and approved by Principal Life. The employer acknowledges and understands that if this application is approved, the group policy will determine all rights and benefits.
- The preexisting condition restrictions for critical illness and long term disability insurance have been explained to and understood by the employer. Actively at work and period of limited activity for life, disability and critical illness coverage have been explained to and understood by the employer.
- The employer understands receipt and deposit of advanced payment is not a guarantee of coverage. If a policy is issued from this application and is accepted by the proposed policyholder, we will apply the premium deposit to the first premium due for such policy. If no policy is put into force, the premium deposit will be refunded. Premium payment will be monthly unless otherwise indicated.
- Acceptance by the employer of any policy or policies issued with this application shall constitute approval of any corrections, additions, or changes specified in the space "For Principal Life Use Only" or as otherwise indicated on this application.
- The employer understands that the insurance policy and certificates of coverage may, at the discretion of Principal Life, be provided to the employer in paper or electronic format. The employer agrees to promptly distribute the certificates of coverage to insured employees at the beginning of their coverage under the group policy and to redistribute them from time to time thereafter as reasonably required by Principal Life.
- Your agent or broker cannot change or waive any provision of this application or the policy or policies without the written approval of an officer of Principal Life in the home office.
- As a result of this sale and any subsequent renewal, your broker and marketing organization, if any, may receive commissions, administrative service fees, other compensation including non-cash compensation, and bonuses based on factors such as, volume of new sales, member and case counts, total premium volume, maintaining a certain percentage of business with Principal Life, selling a certain mix of products, and/or the profitability of the business. The cost of this compensation may be directly or indirectly reflected in the premium or fee for the product(s) you have applied for on this application form. This compensation is in addition to any compensation the broker may receive from you. Contact us at 1-800-388-4793 for further details on your case. We have placed a more detailed description of our compensation programs on [www.principal.com/group/compensation](http://www.principal.com/group/compensation).
- The person signing this form for the employer has legal authority to bind the employer for whom application is being made.
- The employer agrees to make timely notification of any employee termination, status change, or other material changes that may affect the eligibility of employees or their dependents. Timely notification is no more than 31 days past the actual date of such change.

**Agreement and Signatures (continued)**

- The employer understands that failure to pay premium when due will be considered a default in premium payment and coverage will terminate at the end of the grace period. If coverage is terminated for nonpayment of premium, premium through the grace period is due and will be collected. The employer understands that coverage may also be terminated for other reasons as provided in the group policy.
- The employer understands their rights and responsibilities if electing self accounting status.

Any person who, with intent to defraud or knowing that he or she is facilitating a fraud against an insurer, submits an application or files a claim containing a false or deceptive statement, may be guilty of insurance fraud. Fraud or intentional misrepresentation may be grounds for nonrenewal or termination under the terms of the group policy.

Employer (company name)

| Signed by (must be an officer) | Officer's title | Date signed |
|--------------------------------|-----------------|-------------|
| <b>X</b>                       |                 |             |

Printed officer name

| Signature of licensed resident agent(s) (individual/firm) | Agent's license number | Date signed |
|---|------------------------|-------------|
| <b>X</b>  |                        |             |

Licensed resident agent(s) printed name(s)

| Signature of soliciting agent(s) (If more than one, all must sign.) | Date signed |
|---|-------------|
| <b>X</b>  |             |

Soliciting agent(s) printed name(s)

**For Principal Life Use Only**



|   |   |   |
|---|---|---|
| Mailing Address:<br>Des Moines, IA 50392-0002 | <b>Principal Life<br/>Insurance Company</b> | <b>Addendum to Employer<br/>Application<br/>for Group Insurance</b> |
|---|---|---|

**PLEASE USE BLACK INK**

To avoid processing delays, please make sure you answer all questions completely and accurately.

This form is for:  new case  amendment to add Life/Disability/Critical Illness Account number \_\_\_\_\_

**Life/Disability/Critical Illness**

If requesting life, disability or critical illness insurance, are there any employees not Actively at Work?  yes  no

If yes, please list employees not Actively at Work, reason not Actively at Work, their last day worked and expected return to work date.

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**Signatures**

Employer (company name)

|                                |                 |             |
|--------------------------------|-----------------|-------------|
| Signed by (must be an officer) | Officer's title | Date signed |
|--------------------------------|-----------------|-------------|

**X**

Printed officer name

---

**Print**

## Policyholder Responsibilities and Electronic Consent

Doing business electronically makes sense in today's world. Not only does it create a more efficient process for you, it allows quicker updates and eliminates stacks of paperwork. Please enter a few pieces of information below and sign at the bottom. If you would like paper copies of booklets or billing statements, please contact your local sales office. Thanks for your willingness to utilize our online services.

**Company's legal name (include Doing Business As), known as "Policyholder":**

Town of Prosper

**Account number/s:** \_\_\_\_\_

### I. Establishment/Definitions

- A. Principal Life Insurance Company (Principal Life) has issued one or more group insurance policies ("policies") to the Policyholder.
- B. Policyholder requests that certain administrative functions, as specified below, be performed electronically. Policyholder desires that records and information relating to the policies be sent and received using Electronic Records, consistent with applicable law. Both Policyholder and Principal Life are prepared to administer various policy terms and provisions via Electronic Records, including the use of Electronic Signatures.
- C. "Audit Trail" means documentation and Electronic Records evidencing the delivery, display, consent to, and/or signing, and ongoing integrity and accuracy, of Electronic Records that are consented to, delivered to, or signed by, applicant(s) electronically.
- D. "Electronic Record" means information that is stored in an electronic medium and is retrievable in perceivable form.
- E. "Electronic Signature" means an electronic sound, symbol, or process, attached to or logically associated with a contract or other Electronic Record and executed or adopted by a person with the intent to sign the Electronic Record.
- F. "Participant" means employees and their eligible dependents who are covered under a group insurance policy issued by Principal Life.

### II. Administrative Functions

#### A. Paperless Booklets, Certificates, and Policies

The Policyholder :

- a. Provide electronic media access (desktop internet, kiosk, public PC) to allow participants access to the Principal Life web site for viewing their booklet/certificate.
- b. Furnish paper copies of the booklet/certificate, and any other plan documents, to all participants who do not have access to electronic media.
- c. Upon termination of the insurance agreement with Principal Life, inform all participants and beneficiaries of the termination and that the booklet/certificate will remain on-line for a limited period of time (3 months) following the termination date.
- d. Hold Principal Life Insurance Company harmless from any damages resulting from the employer's failure to take the necessary steps to make the documents available electronically.

#### B. Electronic Records

The Policyholder shall:

- a. Obtain completed group enrollment data (with a valid signature) from each eligible participant applying for or waiving coverage, or for coverage increases or decreases, and provide Principal Life with such enrollment data via electronic means whenever possible.
- b. Maintain the enrollment records and other necessary records to enable Principal Life to determine the current job class, benefits, home addresses of participants, and termination date for each participant.
- c. Maintain current beneficiary designations and changes in beneficiary designations.
- d. Preserve signed Electronic Records and accompanying Audit Trails evidencing the electronic presentation and signing process.

#### C. Paperless Bills

The Policyholder agrees:

- a. To provide the Policyholder's email address for Principal to use to notify them the bill is available for viewing on the Principal Life web site.
- b. The date and time Principal Life sends the email notifying them the bill is available is also the date and time the Policyholder receives the notice.
- c. Principal Life has no liability for billing email notification transmission errors.
- d. To view the bill on the Principal Life web site promptly after receiving email notification.
- e. To save and/or print the bill as needed for their records.
- f. Paper bills won't be sent by United States postal mail or any other courier service.
- g. Contractual provisions related to non-payment of the bill as described in the policies apply.

III. General Provisions

- A. The Policyholder shall:
  - a. Execute this agreement consistent with all Federal Laws, your State laws, including, but not limited to ERISA and
  - b. Meet any necessary disclosure and timing obligations under such law(s); and
  - c. Ensure that the system used by the Policyholder to furnish documents to participants results in actual receipt of the electronic documents.
  - d. Agree to request a PIN to access the Principal Life's eService application.
  - e. Ensure that the processes employed for (i) delivering and presenting a document to a representative of the Policyholder or a Participant as an Electronic Record, and (ii) creating any Electronic Signatures on such Electronic Records submitted to Principal Life by Policyholder or its Participants, comply with all applicable laws and regulations, including without limitation the federal Electronic Signatures in Global and National Commerce Act ("ESIGN" or "ESIGN Act") and all applicable state laws governing the use of electronic records and signatures, including without limitation the applicable state's version of the Uniform Electronic Transactions Act ("UETA") or similar state electronic signature laws. Employ commercially reasonable standards for utilizing Electronic Records and Electronic Signatures in connection with documents signed electronically and submitted to Principal Life, including (i) establishing authentication procedures for signers that will facilitate attributing an Electronic Signature to the signer, (ii) effectively presenting Electronic Records for review and signature, (iii) establishing the signer's intent to create an Electronic Signature, (iv) preserving the integrity of the Electronic Records during and after the signing process, and (v) providing the signer with an opportunity to retain a copy of the signed Electronic Record.
- B. The Policyholder will cooperate with reasonable requests by Principal Life for written or electronic documentation, testimonial, affidavit or other support to evidence (i) compliance with the terms of this Agreement and (ii) transactions authorized by this Agreement. Policyholder will cooperate with any reasonable requests by Principal Life to use system records, written documentation or other materials which are owned or in the possession of Policyholder and may be required by Principal Life for potential use in litigation support, for the purpose of internal and external audits and controls, and for compliance with regulatory requirements.
- C. There is no employer-employee or agency relationship between the Policyholder and Principal Life. The duties and obligations of this agreement are neither assignable nor transferable by either party without the consent, in writing, of the other party.
- D. If a Policyholder with a self-funded Plan requests Principal Life post the self-funded Plan benefit booklet summaries on Principal Life's website, Principal Life will be doing so as a convenience to Policyholder and Principal Life is not taking on any Plan Administrator duties related to the distribution of Summary Plan Descriptions (SPDs) or other ERISA-required reports or disclosures. Principal Life does not warrant that the posting of the documents on its website will satisfy any of the requirements of ERISA, even if it is informed that Policyholder wishes to use the website for that purpose. Principal Life, at its discretion, may use disclaimers and other notices in connection with the display of the documents to make it clear that Principal Life is not the plan insurer or Plan Administrator and that the Policyholder is solely responsible for the content and currency of the documents.
- E. Principal Life will provide HIPAA Privacy Notices to the Policyholder who will then distribute to their employees.
- F. The Policyholder and Principal Life acknowledge and agree that whenever electronic transactions are not possible, transactions will be conducted in a manner that is consistent with insurance industry standards.
- G. This agreement may be amended by mutual consent, in writing, by the Policyholder and Principal Life.
- H. This agreement will continue until it is terminated. This Agreement will terminate automatically without notice upon termination of all Policies the Policyholder has with Principal Life. This agreement may be terminated upon notice by either the Policyholder or Principal Life. The Policyholder may terminate this agreement by notifying Principal Life in writing at the address listed at the bottom of this form. Termination of this agreement does not relieve the Policyholder of its obligations under applicable state or federal law. The duties described in Paragraph II.A.c of this Agreement shall remain in effect until such time as they are fully satisfied.
- I. Policyholder and Principal Life acknowledge and agree that Electronic Records and Electronic Signatures, as well as facsimile signatures, may be used in connection with the execution of certain documents in connection with the Plan, including but not limited to policy application, enrollment forms, and statements of health ("Documents") and shall be legal and binding and shall have the same full force and effect as if a paper original of the Documents had been signed using a handwritten signature. Policyholder and Principal Life (i) intend to be bound by the signatures (whether original, faxed or electronic) on any Document sent or delivered by facsimile, electronic mail, or other electronic means, (ii) are aware that the other party will rely on such signatures, and (iii) hereby waive any defenses to the enforcement of the terms of a Document based on the foregoing forms of signature.
- J. The Policyholder may request paper copies of electronically signed or delivered documents by contacting Principal Life at the address listed at the bottom of this form.

\_\_\_\_\_  
Signature of Policyholder's authorized representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed name of signer

\_\_\_\_\_  
Title

Principal Life Insurance Company  
Des Moines, IA 50392-0002  
[www.principal.com](http://www.principal.com)

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# Outside Party Service Agreement

Principal Life Insurance Company  
Des Moines, IA 50392-0002



Item 3.

Legal Name of Company: \_\_\_\_\_

DBA of Company: \_\_\_\_\_

Account Number/s: \_\_\_\_\_

## I. Establishment/Definitions

- A. An "Outside Party" could be a Broker, Payroll Vendor, Third Party Administrator, Benefits Administrator, COBRA Administrator, etc.
- B. Policyholder authorizes the following Outside Party to perform administrative functions that may include but are not limited to enrollment transactions, eligibility determinations, billing, delinquency management and premium remittance.
- C. The Policyholder authorizes Principal Life Insurance Company (Principal Life) to interact with Outside Party and exchange information required to perform administrative functions.

### If HIPAA Applies:

- D. Policyholder acknowledges that it is the plan administrator of a health plan (Plan) subject to the HIPAA Privacy Rule as set forth in 45 C.F.R. Parts 160 and 164 (Privacy Rule). Policyholder represents that it has retained the services of Outside Party to perform certain tasks with respect to the administration of the plan, and that the performance of the services requires the Outside Party to receive PHI, as that term is defined in the Privacy Rule, maintained by Principal Life Insurance Company on behalf of the Plan.

## II. Outside Party Designation

|  |                         |
|--|-------------------------|
| <b>Name of Outside Party:</b> _____  |                         |
| Street: _____  |                         |
| City: _____  | State: _____ Zip: _____ |
| <b>Contact Name:</b> _____   |                         |
| Phone Number: (      )      -      _____   |                         |
| Email Address: _____   |                         |
| <b>This Outside Party is a/an:</b>   |                         |
| <input checked="" type="radio"/> Agent/Broker <input type="radio"/> Outside Party <input type="radio"/> COBRA Administrator  |                         |
| <b>Select type of <u>online access</u> through eService (<a href="http://www.principal.com">www.principal.com</a>):</b>  |                         |
| <i>This option is not available to self-accounting groups.</i>   |                         |
| <input type="radio"/> Full* <input type="radio"/> None** <input type="radio"/> COBRA/State Continuation Only Access (a separate bill/unit will be created for COBRA/State Continuation Members only) |                         |
| <b>Would you like bills to be sent to this Outside Party?</b>  |                         |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Only COBRA Bills to the COBRA Administrator   |                         |

\*Full access: grants add, change, and delete capability.

\*\*None: (agent/brokers only) have view capability.

|   |                         |
|---|-------------------------|
| <b>Only fill if Additional Outside Party:</b> |                         |
| <b>Name of Outside Party:</b> _____           |                         |
| Street: _____                                 |                         |
| City: _____                                   | State: _____ Zip: _____ |
| <b>Contact Name:</b> _____                    |                         |
| Phone Number: (      )      -      _____      |                         |
| Email Address: _____                          |                         |

**Only fill if Additional Outside Party (continued):**

**This Outside Party is a/an:**  
 Agent/Broker    Outside Party    COBRA Administrator

**Select type of online access through eService ([www.principal.com](http://www.principal.com)):**  
*This option is not available to self-accounting groups.*

Full\*    None\*\*    COBRA/State Continuation Only Access (a separate bill/unit will be created for COBRA/State Continuation Members only)

**Would you like bills to be sent to this Outside Party?**  
 Yes    No    Only COBRA Bills to the COBRA Administrator

\*Full access: grants add, change, and delete capability.  
 \*\*None (agent/brokers only) have view capability.

**IV. General Provisions**

The Policyholder represents and warrants:

- A. The Outside Party will perform administrative functions in accordance with all Federal Laws, your State laws, including, but not limited to ERISA.
- B. The Outside Party is acting as an agent/representative for the Policyholder, and is not acting on behalf of Principal Life.

**If HIPAA Applies (C, D, and E):**

- C. The Outside Party is a business associate, with respect to the plan, of the Plan administrator and that a Business Associate Agreement (BAA) that meets the requirements of HIPAA is in effect between the Outside Party and the Plan.
- D. The Outside Party will not request any PHI from Principal Life at any time when a BAA is not in effect.
- E. The Outside Party will not request any PHI from Principal Life that exceeds the minimum necessary amount it needs to perform its contracted Services, and that the Outside Party will not use or disclose PHI received from Principal Life in a manner that is inconsistent with the requirements of HIPAA or its BAA with the Plan or any applicable state law.

To the extent authorized by Texas law, the Policyholder shall indemnify and hold Principal harmless from and against any and all claims, liabilities, damages, actions, causes of actions, judgments, losses, or expenses, including reasonable attorney’s fees, asserted against, imposed upon and/or incurred by Principal that arise out of the violation by the Policyholder’s failure to conform to the provisions of this Agreement or to the rules and regulations of the Department of Insurance or any other statutes or regulations, or that arise out of the acts or omissions including negligence of the Policyholder or its employees or agents in the discharge of his/her or their responsibilities under this agreement.

The Policyholder agrees to notify Principal Life immediately of any change to, or the termination of, the authorization described above.

\_\_\_\_\_  
 Signature of Policyholder’s authorized representative

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Printed name of signer

\_\_\_\_\_  
 Title





## ENGINEERING SERVICES

**To: Mayor and Town Council**

**From: Hulon Webb, Jr., P.E., Director of Engineering Services**

**Through: Harlan Jefferson, Town Manager  
Rebecca Zook, Executive Director of Development and Infrastructure Services**

**Re: Town Council Meeting - October 27, 2020**

**Agenda Item:**

Consider and act upon awarding CSP No. 2021-08-B to Durable Specialties, Inc., related to construction services for the Traffic Signal Construction at Fishtrap Road/Gee Road and Coit Road/Richland Boulevard project; and authorizing the Town Manager to execute a construction agreement for same.

**Description of Agenda Item:**

On October 8, 2020, at 3:00 PM, three (3) Competitive Sealed Proposals (CSP) were received for the Traffic Signal Construction at Fishtrap Road/Gee Road and Coit Road/Richland Boulevard project. The project was advertised using the Competitive Sealed Proposal Construction alternative procurement method to allow the Town to award the project to the contractor that offers the best value proposal based on the following criteria:

- Qualifications and Experience (30%)
  - Outline contractor and subcontractor experience with similar projects.
  - Outline qualifications of key personnel assigned to this project.
  - Provide references.
- Project Timeline (20%)
- Cost Proposal (50%)

The verified cost proposal ranged between \$398,000.00 and \$692,810.00. The Engineer's Estimate was \$419,825. The proposed final completion times ranged from 70 calendar days to 210 calendar days. Durable Specialties, Inc., was the firm that ranked the highest after consideration of Costs, Time, and Qualifications with a cost of \$398,000.00, and project timeline of 100 calendar days.

Durable Specialties, Inc., costs include \$157,614.00 for the construction of the traffic signal at Fishtrap Road/Gee Road, and \$240,386.00 for the traffic signal at Coit Road/Richland Boulevard. Town Council had authorized the pre-purchase of the traffic signal equipment for both intersections with the Fishtrap Road/Gee Road equipment totaling \$52,513.00 and the Coit Road/Richland Boulevard equipment totaling \$122,803.65. The total costs for the Fishtrap Road/Gee Road traffic signal is \$210,127.00, and the total cost of the Coit Road/Richland Boulevard traffic signal is \$363,189.65. The reason why the traffic signal at Fishtrap Road/Gee Road is significantly less, is because the Town will be installing a temporary signal at Fishtrap Road/Gee Road that will consist of galvanized steel poles with span wires supporting the traffic signal heads, similar to what was installed at First Street/Dallas North Tollway prior to the permanent traffic signal being constructed with the Southbound DNT Frontage Road project. In the future, a permanent traffic signal will be installed when the additional lanes of Fishtrap Road and Gee Road are constructed. At that time, the temporary galvanized steel poles will be removed and stored at Public Works to be re-used by the Town for other intersections that require the construction of temporary traffic signals. For comparison, the last traffic signal installed in the Town was at Fishtrap Road/Teel Parkway, at a total cost of \$395,602.10.

Durable Specialties, Inc., has successfully completed several projects of similar scope and value for the cities of Frisco and Carrollton and recently completed the construction of the traffic signal at Fishtrap Road/ Teel Parkway for the Town of Prosper. Staff checked the references provided and received positive feedback.

**Budget Impact:**

The total cost for the construction of the Traffic Signal at Fishtrap Road/Gee Road and Coit Road/Richland Boulevard project is \$398,000 (\$157,614.00 for Fishtrap Road/Gee Road; \$240,386.00 for Coit Road/Richland Boulevard). The total cost of the pre-purchased items approved at the June 23, 2020, Town Council meeting was \$175,316.65 (\$52,513.00 for Fishtrap Road/Gee Road; \$122,803.65 for Coit Road/Richland Boulevard). The total costs for the Fishtrap Road/Gee Road traffic signal is \$210,127.00, and the total cost of the Coit Road/Richland Boulevard traffic signal is \$363,189.65. The FY 2020-2021 Capital Improvement Program includes \$250,000 for the construction of the traffic signal at Fishtrap Road/Gee Road and \$410,000, for the construction of the traffic signal at Coit Road/Richland Boulevard. The funding sources are Account No. 680-6610-50-00-2004-TR for the traffic signal at Fishtrap Road/Gee Road, and Account No. 660-6610-50-00-2005-TR for the traffic signal at Coit Road/Richland Boulevard.

**Legal Obligations and Review:**

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the standard construction agreement as to form and legality.

**Attached Documents:**

1. Location Map
2. Evaluation Matrix
3. Construction Agreement

**Town Staff Recommendation:**

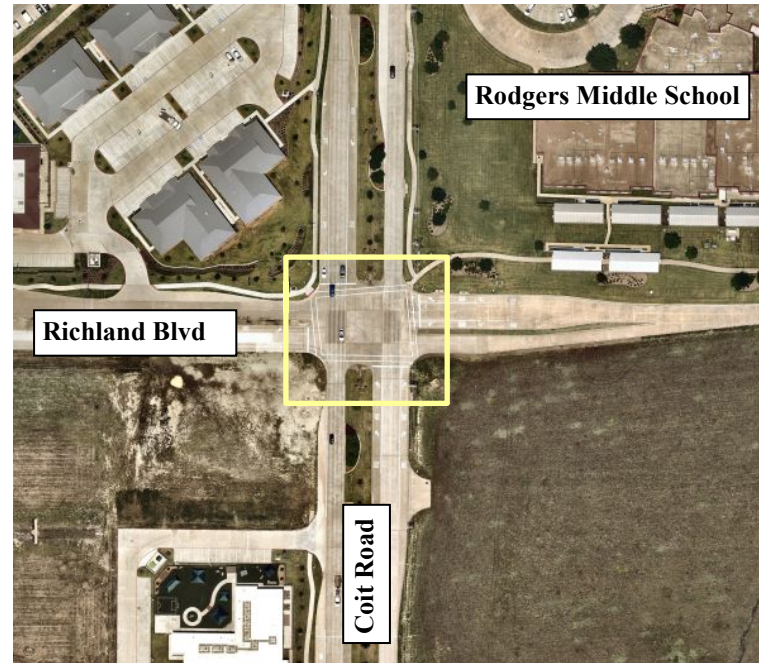
Town staff recommends that the Town Council Award CSP No. 2021-08-B to Durable Specialties, Inc., related to the Traffic Signal Construction at Fishtrap Road/Gee Road and Coit Road/Richland Boulevard project; and authorize the Town Manager to execute a construction agreement for same.

**Proposed Motion:**

I move to award CSP No. 2021-08-B to Durable Specialties, Inc., related to the Traffic Signal Construction at Fishtrap Road/Gee Road and Coit Road/Richland Boulevard project; and authorize the Town Manager to execute a construction agreement for same.

### LOCATION MAP

Traffic Signal Construction at Fishtrap Road/Gee Road and  
Coit Road/Richland Blvd



CSP NO. 2021-08-B

## TRAFFIC SIGNAL CONSTRUCTION AT FISHTRAP ROAD/GEE ROAD AND COIT ROAD/RICHLAND BLVD

| <b>EVALUATION MATRIX</b>      |                  | <b>DURABLE SPECIALTIES, INC.</b> |                       | <b>ROAD SOLUTIONS LLC</b> |                       | <b>ROADWAY SOLUTIONS, INC.</b> |                       |
|-------------------------------|------------------|----------------------------------|-----------------------|---------------------------|-----------------------|--------------------------------|-----------------------|
| <b>EVALUATION CRITERIA</b>    | <b>WEIGHTING</b> | <b>POINTS</b>                    | <b>WEIGHTED SCORE</b> | <b>POINTS</b>             | <b>WEIGHTED SCORE</b> | <b>POINTS</b>                  | <b>WEIGHTED SCORE</b> |
| Qualifications and Experience | 30%              | 7.56                             | 2.27                  | 4.67                      | 1.40                  | 4.67                           | 1.40                  |
| Proposed Project Timeline     | 20%              | 7.00                             | 1.40                  | 10.00                     | 2.00                  | 3.33                           | 0.67                  |
| Cost Proposal                 | 50%              | 10.00                            | 5.00                  | 7.65                      | 3.83                  | 5.74                           | 2.87                  |
| <b>TOTAL</b>                  | <b>100%</b>      |                                  | <b>8.67</b>           |                           | <b>7.23</b>           |                                | <b>4.94</b>           |

CONTRACT DOCUMENTS AND SPECIFICATIONS  
FOR

**TRAFFIC SIGNAL CONSTRUCTION AT  
FISHTRAP ROAD/GEE ROAD AND  
COIT ROAD/RICHLAND BLVD  
CSP NO. 2021-08-B**



TOWN OF PROSPER  
COLLIN COUNTY, TEXAS

TOWN OFFICIALS

Ray Smith, Mayor  
Curry Vogelsang, Jr., Mayor Pro-Tem  
Jason Dixon, Deputy Mayor Pro-Tem  
Marcus E. Ray, Place 1  
Craig Andres, Place 2  
Meigs Miller, Place 4  
Jeff Hodges, Place 5

Harlan Jefferson, Town Manager



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## LEGAL NOTICE

The Town of Prosper is accepting competitive sealed proposals for **CSP NO. 2021-08-B TRAFFIC SIGNAL CONSTRUCTION AT FISHTRAP ROAD/GEE ROAD AND COIT ROAD/RICHLAND BLVD.** Proposals will be accepted online through IonWave.net, the Town's e-procurement system, or in hard copy in the Purchasing Office located in the 3rd Floor Finance Suite of Town Hall, 250 W. First St., Prosper, Texas 75078 until **3:00 P.M. on Thursday, October 8, 2020.** Any proposals received after this time will not be accepted, and will be returned unopened. **The proposal opening will be held online on Thursday, October 8, 2020 @ 3:30 P.M.** To participate in the proposal opening, please use the following:

|                               |   |
|-------------------------------|---|
| Join Zoom Meeting:            | <a href="https://us02web.zoom.us/j/84914991402">https://us02web.zoom.us/j/84914991402</a>                 |
| Meeting ID:                   | 849 1499 1402   |
| Dial-in any of these numbers: | +1 929 436 2866, +1 312 626 6799, +1 669 900 6833, +1 253 215 8782,<br>+1 301 715 8592 or +1 346 248 7799 |

The Project consists of furnishing all labor, equipment and materials (except as otherwise specified), and performing all work necessary for the construction of traffic signals at the intersections of Fishtrap Road/Gee Road and Coit Road/Richland Blvd. A list of materials that have been purchased by the Town of Prosper will be provided.

Each proposal submitted shall be accompanied by a cashier's check in the amount of 5% of the maximum amount proposed, payable without recourse to the Town of Prosper, or a Bid Bond in the same amount from a reliable surety company as a guarantee that, if awarded the contract, the successful Contractor will execute a Construction Agreement with the Town, including all required bonds and other documents.

The successful Contractor shall furnish a Performance Bond in the amount of 115% of the contract amount, and a Payment Bond in the amount of 100% of the contract amount, as well as evidence of all required insurance coverage within ten (10) calendar days of notice of award. The successful Contractor shall also furnish a Maintenance Bond in the amount of 100% of the contract amount covering defects of material and workmanship for two calendar years following the Town's approval and acceptance of the construction. An approved surety company, licensed in the State of Texas, shall issue all bonds in accordance with Texas law.

Copies of Plans, Specifications, and Contract Documents may be examined at **Town of Prosper Engineering Department, 250 W. First St., Prosper, Texas, 75078, Phone: (972) 569-1198** without charge. These documents may be acquired from that office for the non-refundable purchase price of \$50 per set, payable to the Town of Prosper. Copies of Plans, Specifications, and Contract Documents may also be downloaded free of charge from Current Bidding Opportunities, at the following link: <http://www.prospertx.gov/business/bid-opportunities/>.

Questions and requests for clarifications in regards to this proposal should be submitted in writing through IonWave.net, the Town's e-procurement system, or emailed directly to January Cook, CPPO, CPPB, Purchasing Manager, at [jcook@prospertx.gov](mailto:jcook@prospertx.gov). The deadline for receipt of questions and requests for clarifications is **12:00 P.M. on Wednesday, September 30, 2020.** After that day and time, no further questions or requests for clarifications will be accepted or answered by the Engineer or Town.

## INSTRUCTIONS TO PROPOSERS

1. Submittal Deadline: Proposals will be accepted until **3:00 P.M. on Thursday, October 8, 2020**.
2. Submittal Location: Proposals will be accepted online through IonWave.net, the Town's e-procurement system, or in hard copy in the Purchasing Office located in the 3rd Floor Finance Suite of Town Hall, 250 W. First St., Prosper, Texas 75078.
3. Electronic Submittal Requirements: If submitting proposal through IonWave.net, Proposer shall complete all requested information and submit all required documents.
4. Hard Copy Submittal Requirements: If submitting proposal in hard copy, Proposer shall submit one (1) original of their proposal in a sealed envelope clearly marked with their name and **CSP NO. 2021-08-B TRAFFIC SIGNAL CONSTRUCTION AT FISHTRAP ROAD/GEE ROAD AND COIT ROAD/RICHLAND BLVD**. Proposer shall complete all requested information and submit all required documents.
5. Proposal Opening: **The proposal opening will be held online on Thursday, October 8, 2020 @ 3:30 P.M.** To participate in the proposal opening, please use the following:

|                              |   |
|------------------------------|---|
| Join Zoom Meeting:           | <a href="https://us02web.zoom.us/j/84914991402">https://us02web.zoom.us/j/84914991402</a>                 |
| Meeting ID:                  | 849 1499 1402   |
| Dial-in any of these numbers | +1 929 436 2866, +1 312 626 6799, +1 669 900 6833, +1 253 215 8782,<br>+1 301 715 8592 or +1 346 248 7799 |

6. Proposal Documents: Copies of Plans, Specifications, and Contract Documents may be examined without charge at the following location:

Town of Prosper Engineering Department  
250 W. First ST.  
Prosper, TX 75078  
Phone: 972-569-1198

or

Download free of charge from Current Bidding Opportunities, at the following link:

<http://www.prospertx.gov/business/bid-opportunities/>.

7. Questions and Requests for Clarification: Questions and requests for clarifications in regards to this proposal should be submitted in writing through IonWave.net, the Town's e-procurement system, or emailed directly to January Cook, CPPO, CPPB, Purchasing Manager, at [jcook@prospertx.gov](mailto:jcook@prospertx.gov). The deadline for receipt of questions and requests for clarifications is **12:00 P.M. on Wednesday, September 30, 2020**. After that day and time, no further questions or requests for clarifications will be accepted or answered by the Engineer or Town.
8. Addenda: If it becomes necessary to provide additional information to potential Proposers, the Town of Prosper will issue an addendum containing the necessary information.

9. Pre-Proposal Meeting: A pre-proposal meeting will not be held for this project.
10. Site Visit: N/A

## CONSTRUCTION AGREEMENT

THE STATE OF TEXAS            )  
   )  
 COUNTY OF COLLIN            )                    KNOW ALL MEN BY THESE PRESENTS:

This Construction Agreement (the "Agreement") is made by and between **Durable Specialties, Inc.**, a company authorized to do business in Texas, (the "Contractor") and the **Town of Prosper, Texas**, a municipal corporation (the "Owner"). For and in consideration of the payment, agreements and conditions hereinafter mentioned, and under the conditions expressed in the bonds herein, Contractor hereby agrees to complete the construction of improvements described as follows:

### **CSP NO. 2021-08-B TRAFFIC SIGNAL CONSTRUCTION AT FISHTRAP ROAD/GEE ROAD AND COIT ROAD/RICHLAND BLVD**

in the Town of Prosper, Texas, and all extra work in connection therewith, under the terms as stated in the terms of this Contract, including all Contract Documents incorporated herein; and at his, her or their own proper cost and expense to furnish all superintendence, labor, insurance, equipment, tools and other accessories and services necessary to complete the said construction in accordance with all the Contract Documents, incorporated herein as if written word for word, and in accordance with the Plans, which include all maps, plats, blueprints, and other drawings and printed or written explanatory manner therefore, and the Specifications as prepared by Town of Prosper or its consultant hereinafter called Engineer, who has been identified by the endorsement of the Contractor's written proposal, the General Conditions of this Contract, the Special Conditions of this Contract, the payment, performance, and maintenance bonds hereto attached; all of which are made a part hereof and collectively evidence and constitute the entire Contract.

#### **A. Contract Documents and Order of Precedence**

The Contract Documents shall consist of the following documents:

1. this Construction Agreement;
2. properly authorized change orders;
3. the Special Conditions of this Contract;
4. the General Conditions of this Contract;
5. the Technical Specifications & Construction Drawings of this Contract;
6. the OWNER's Standard Construction Details;
7. the OWNER's Standard Construction Specifications;
8. the OWNER's written notice to proceed to the CONTRACTOR;
9. the Contractor's Cost Proposal;
10. any listed and numbered addenda;
11. the Performance, Payment, and Maintenance Bonds; and,
12. any other proposal materials distributed by the Owner that relate to the Project.

These Contract Documents are incorporated by reference into this Construction Agreement as if set out here in their entirety. The Contract Documents are intended to be complementary; what is called for by one document shall be as binding as if called for by all Contract Documents. It is specifically provided,

however, that in the event of any inconsistency in the Contract Documents, the inconsistency shall be resolved by giving precedence to the Contract Documents in the order in which they are listed herein above. If, however, there exists a conflict or inconsistency between the Technical Specifications and the Construction Drawings it shall be the Contractor's obligation to seek clarification as to which requirements or provisions control before undertaking any work on that component of the project. Should the Contractor fail or refuse to seek a clarification of such conflicting or inconsistent requirements or provisions prior to any work on that component of the project, the Contractor shall be solely responsible for the costs and expenses - including additional time - necessary to cure, repair and/or correct that component of the project.

#### **B. Total of Payments Due Contractor**

For performance of the Work in accordance with the Contract Documents, the Owner shall pay the Contractor in current funds an amount not to exceed **Three Hundred Ninety-Eight Thousand dollars and No cents (\$398,000.00)**. This amount is subject to adjustment by change order in accordance with the Contract Documents.

#### **C. Dates to Start and Complete Work**

Contractor shall begin work within ten (10) calendar days after receiving a written Notice to Proceed or written Work Order from the Owner. All Work required under the Contract Documents shall be substantially completed within **20** calendar days after the date of the Notice to Proceed for the base proposal. Within **80** additional calendar days after Substantial Completion, all outstanding issues shall be addressed and ready for final payment.

Under this Construction Agreement, all references to "day" are to be considered "calendar days" unless noted otherwise.

#### **D. CONTRACTOR'S INDEMNITY TO THE OWNER AND OTHERS**

**CONTRACTOR DOES HEREBY AGREE TO WAIVE ALL CLAIMS, RELEASE, INDEMNIFY, DEFEND AND HOLD HARMLESS THE TOWN OF PROSPER (OWNER) TOGETHER WITH ITS MAYOR AND TOWN COUNCIL AND ALL OF ITS OFFICIALS, OFFICERS, AGENTS AND EMPLOYEES, IN BOTH THEIR PUBLIC AND PRIVATE CAPACITIES, FROM AND AGAINST ANY AND ALL CITATIONS, CLAIMS, COSTS, DAMAGES, DEMANDS, EXPENSES, FINES, JUDGMENTS, LIABILITY, LOSSES, PENALTIES, SUITS OR CAUSES OF ACTION OF EVERY KIND INCLUDING ALL EXPENSES OF LITIGATION AND/OR SETTLEMENT, COURT COSTS AND ATTORNEY FEES WHICH MAY ARISE BY REASON OF INJURY TO OR DEATH OF ANY PERSON OR FOR LOSS OF, DAMAGE TO, OR LOSS OF USE OF ANY PROPERTY OCCASIONED BY ERROR, OMISSION, OR NEGLIGENT ACT OF CONTRACTOR, ITS SUBCONTRACTORS, ANY OFFICERS, AGENTS OR EMPLOYEES OF CONTRACTOR OR ANY SUBCONTRACTORS, INVITEES, AND ANY OTHER THIRD PARTIES OR PERSONS FOR WHOM OR WHICH CONTRACTOR IS LEGALLY RESPONSIBLE, IN ANY WAY ARISING OUT OF, RELATING TO, RESULTING FROM, OR IN CONNECTION WITH THE PERFORMANCE OF THIS CONTRACT, AND CONTRACTOR WILL AT HIS OR HER OWN COST AND EXPENSE DEFEND AND PROTECT TOWN OF PROSPER (OWNER) FROM ANY AND ALL SUCH CLAIMS AND DEMANDS.**

**CONTRACTOR DOES HEREBY AGREE TO WAIVE ALL CLAIMS, RELEASE, INDEMNIFY, DEFEND AND HOLD HARMLESS TOWN OF PROSPER (OWNER) TOGETHER WITH ITS MAYOR AND**

**TOWN COUNCIL AND ALL OF ITS OFFICIALS, OFFICERS, AGENTS, AND EMPLOYEES, FROM AND AGAINST ANY AND ALL CITATIONS, CLAIMS, COSTS, DAMAGES, DEMANDS, EXPENSES, FINES, JUDGMENTS, LIABILITY, LOSSES, PENALTIES, SUITS OR CAUSES OF ACTION OF EVERY KIND INCLUDING ALL EXPENSES OF LITIGATION AND/OR SETTLEMENT, COURT COSTS AND ATTORNEYS FEES FOR INJURY OR DEATH OF ANY PERSON OR FOR LOSS OF, DAMAGES TO, OR LOSS OF USE OF ANY PROPERTY, ARISING OUT OF OR IN CONNECTION WITH THE PERFORMANCE OF THIS CONTRACT. SUCH INDEMNITY SHALL APPLY WHETHER THE CITATIONS, CLAIMS, COSTS, DAMAGES, DEMANDS, EXPENSES, FINES, JUDGMENTS, LIABILITY, LOSSES, PENALTIES, SUITS OR CAUSES OF ACTION ARISE IN WHOLE OR IN PART FROM THE NEGLIGENCE OF THE TOWN OF PROSPER (OWNER), ITS MAYOR AND TOWN COUNCIL, OFFICERS, OFFICIALS, AGENTS OR EMPLOYEES. IT IS THE EXPRESS INTENTION OF THE PARTIES HERETO THAT THE INDEMNITY PROVIDED FOR IN THIS PARAGRAPH IS INDEMNITY BY CONTRACTOR TO INDEMNIFY AND PROTECT TOWN OF PROSPER (OWNER) FROM THE CONSEQUENCES OF TOWN OF PROSPER'S (OWNER'S) OWN NEGLIGENCE, WHETHER THAT NEGLIGENCE IS A SOLE OR CONCURRING CAUSE OF THE INJURY, DEATH OR DAMAGE.**

**IN ANY AND ALL CLAIMS AGAINST ANY PARTY INDEMNIFIED HEREUNDER BY ANY EMPLOYEE OF THE CONTRACTOR, ANY SUB-CONTRACTOR, ANYONE DIRECTLY OR INDIRECTLY EMPLOYED BY ANY OF THEM OR ANYONE FOR WHOSE ACTS ANY OF THEM MAY BE LIABLE, THE INDEMNIFICATION OBLIGATION HEREIN PROVIDED SHALL NOT BE LIMITED IN ANY WAY BY ANY LIMITATION ON THE AMOUNT OR TYPE OF DAMAGES, COMPENSATION OR BENEFITS PAYABLE BY OR FOR THE CONTRACTOR OR ANY SUB-CONTRACTOR UNDER WORKMEN'S COMPENSATION OR OTHER EMPLOYEE BENEFIT ACTS.**

**INDEMNIFIED ITEMS SHALL INCLUDE ATTORNEYS' FEES AND COSTS, COURT COSTS, AND SETTLEMENT COSTS. INDEMNIFIED ITEMS SHALL ALSO INCLUDE ANY EXPENSES, INCLUDING ATTORNEYS' FEES AND EXPENSES, INCURRED BY AN INDEMNIFIED INDIVIDUAL OR ENTITY IN ATTEMPTING TO ENFORCE THIS INDEMNITY.**

In its sole discretion, the Owner shall have the right to approve counsel to be retained by Contractor in fulfilling its obligation to defend and indemnify the Owner. Contractor shall retain approved counsel for the Owner within seven (7) business days after receiving written notice from the Owner that it is invoking its right to indemnification under this Construction Agreement. If Contractor does not retain counsel for the Owner within the required time, then the Owner shall have the right to retain counsel and the Contractor shall pay these attorneys' fees and expenses.

The Owner retains the right to provide and pay for any or all costs of defending indemnified items, but it shall not be required to do so. To the extent that Owner elects to provide and pay for any such costs, Contractor shall indemnify and reimburse Owner for such costs.

(Please note that this "broad-form" indemnification clause is not prohibited by Chapter 151 of the Texas Insurance Code as it falls within one of the exclusions contained in Section 151.105 of the Texas Insurance Code.)

## E. Insurance Requirements

Contractor shall procure and maintain for the duration of the contract, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the vendor, his agents, representatives, employees or subcontractors. The cost of such insurance shall be included in the contractor's proposal. A certificate of insurance meeting all requirements and provisions outlined herein shall be provided to the Town prior to any services being performed or rendered. Renewal certificates shall also be supplied upon expiration. Certificates holder shall be listed as follows, with the project/contract number referenced:

Town of Prosper  
Attn: Purchasing Manager  
P.O. Box 307  
Prosper, Texas 75078

re: CSP No. 2021-08-B  
TRAFFIC SIGNAL CONSTRUCTION AT FISHTRAP  
ROAD/GEE ROAD AND COIT ROAD/RICHLAND BLVD

### 1. Minimum Scope of Insurance

Coverage shall be at least as broad as:

- a. ISO Form Number GL 00 01 (or similar form) covering Comprehensive General Liability. "Occurrence" form only, "claims made" forms are unacceptable.
- b. Workers' Compensation insurance as required by the Labor Code of the State of Texas, including Employers' Liability Insurance.
- c. Automobile Liability as required by the State of Texas, covering all owned, hired, or non-owned vehicles. Automobile Liability is only required if vehicle(s) will be used under this contract.

### 2. Minimum Limits of Insurance

Contractor shall maintain throughout contract limits not less than:

- a. Commercial General Liability: \$1,000,000 per occurrence / \$2,000,000 in the aggregate for third party bodily injury, personal injury and property damage. Policy will include coverage for:
  - 1) Premises / Operations
  - 2) Broad Form Contractual Liability
  - 3) Products and Completed Operations



- 4) Personal Injury
  - 5) Broad Form Property Damage
  - 6) Explosion Collapse and Underground (XCU) Coverage.
- b. Workers' Compensation and Employer's Liability: Workers' Compensation limits as required by the Labor Code of the State of Texas and Statutory Employer's Liability minimum limits of \$100,000 per injury, \$300,000 per occurrence, and \$100,000 per occupational disease.
  - c. Automobile Liability: \$1,000,000 Combined Single Limit. Limits can only be reduced if approved by the Town. Automobile liability shall apply to all owned, hired and non-owned autos.
  - d. Builders' Risk Insurance: Completed value form, insurance carried must be equal to the completed value of the structure. Town shall be listed as Loss Payee.
  - e. \$1,000,000 Umbrella Liability Limit that follows form over underlying Automobile Liability, General Liability, and Employers Liability coverages.

### 3. Deductible and Self-Insured Retentions

Any deductible or self-insured retentions in excess of \$10,000 must be declared to and approved by the Town.

### 4. Other Insurance Provisions

The policies are to contain, or be endorsed to contain the following provisions:

#### a. General Liability and Automobile Liability Coverage

- 1) The Town, its officers, officials, employees, boards and commissions and volunteers are to be added as "Additional Insured's" relative to liability arising out of activities performed by or on behalf of the contractor, products and completed operations of the contractor, premises owned, occupied or used by the contractor. The coverage shall contain no special limitations on the scope of protection afforded to the Town, its officers, officials, employees or volunteers.
- 2) The contractor's insurance coverage shall be primary insurance in respects to the Town, its officers, officials, employees and volunteers. Any insurance or self- insurance maintained by the Town, its officers, officials, employees or volunteers shall be in excess of the contractor's insurance and shall not contribute with it.

- 3) Any failure to comply with reporting provisions of the policy shall not affect coverage provided to the Town, its officers, officials, employees, boards and commissions or volunteers.
- 4) The contractor's insurance shall apply separately to each insured against whom the claim is made or suit is brought, except to the limits of the insured's limits of liability.

b. Workers' Compensation and Employer's Liability Coverage

The insurer shall agree to waive all rights of subrogation against the Town, its officers, officials, employees and volunteers for losses arising from work performed by the contractor for the Town.

c. All Coverages

Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled or non-renewed by either party, reduced in coverage or in limits except after 30 days written notice to the Town for all occurrences, except 10 days written notice to the Town for non-payment.

5. Acceptability of Insurers

The Town prefers that Insurance be placed with insurers with an A.M. Best's rating of no less than A- VI, or better.

6. Verification of Coverage

Contractor shall provide the Town with certificates of insurance indicating coverage's required. The certificates are to be signed by a person authorized by that insurer to bind coverage on its behalf. Certificates of Insurance similar to the ACORD Form are acceptable. Town will not accept Memorandums of Insurance or Binders as proof of insurance. The Town reserves the right to require complete, certified copies of all required insurance policies at any time.

## F. Performance, Payment and Maintenance Bonds

The Contractor shall procure and pay for a Performance Bond applicable to the work in the amount of one hundred fifteen percent (115%) of the total proposed price, and a Payment Bond applicable to the work in the amount of one hundred percent (100%) of the total proposed price. The Contractor shall also procure and pay for a Maintenance Bond applicable to the work in the amount of one hundred percent (100%) of the total proposed price. The period of the Maintenance Bond shall be two years from the date of acceptance of all work done under the contract, to cover the guarantee as set forth in this Construction Agreement. The performance, payment and maintenance bonds shall be issued in the form attached to this Construction Agreement as Exhibits A, B and C. Other performance, payment and

maintenance bond forms shall not be accepted. Among other things, these bonds shall apply to any work performed during the two-year warranty period after acceptance as described in this Construction Agreement.

The performance, payment and maintenance bonds shall be issued by a corporate surety, acceptable to and approved by the Town, authorized to do business in the State of Texas, pursuant to Chapter 2253 of the Texas Government Code. Further, the Contractor shall supply capital and surplus information concerning the surety and reinsurance information concerning the performance, payment and maintenance bonds upon Town request. In addition to the foregoing requirements, if the amount of the bond exceeds One Hundred Thousand Dollars (\$100,000) the bond must be issued by a surety that is qualified as a surety on obligations permitted or required under federal law as indicated by publication of the surety's name in the current U.S. Treasury Department Circular 570. In the alternative, an otherwise acceptable surety company (not qualified on federal obligations) that is authorized and admitted to write surety bonds in Texas must obtain reinsurance on any amounts in excess of One Hundred Thousand Dollars (\$100,000) from a reinsurer that is authorized and admitted as a reinsurer in Texas who also qualifies as a surety or reinsurer on federal obligations as indicated by publication of the surety's or reinsurer's name in the current U.S. Treasury Department Circular 570.

#### **G. Progress Payments and Retainage**

As it completes portions of the Work, the Contractor may request progress payments from the Owner. Progress payments shall be made by the Owner based on the Owner's estimate of the value of the Work properly completed by the Contractor since the time the last progress payment was made. The "estimate of the value of the work properly completed" shall include the net invoice value of acceptable, non-perishable materials actually delivered to and currently at the job site only if the Contractor provides to the Owner satisfactory evidence that material suppliers have been paid for these materials.

No progress payment shall be due to the Contractor until the Contractor furnishes to the Owner:

1. copies of documents reasonably necessary to aid the Owner in preparing an estimate of the value of Work properly completed;
2. full or partial releases of liens, including releases from subcontractors providing materials or delivery services relating to the Work, in a form acceptable to the Owner releasing all liens or claims relating to goods and services provided up to the date of the most recent previous progress payment;
3. an updated and current schedule clearly detailing the project's critical path elements; and
4. any other documents required under the Contract Documents.

Progress payments shall not be made more frequently than once every thirty (30) calendar days unless the Owner determines that more frequent payments are appropriate. Further, progress payments are to be based on estimates and these estimates are subject to correction through the adjustment of subsequent progress payments and the final payment to Contractor. If the Owner determines after final payment that it has overpaid the Contractor, then Contractor agrees to pay to the Owner the overpayment amount specified by the Owner within thirty (30) calendar days after it receives written demand from the Owner.

The fact that the Owner makes a progress payment shall not be deemed to be an admission by the Owner concerning the quantity, quality or sufficiency of the Contractor's work. Progress payments shall not be deemed to be acceptance of the Work nor shall a progress payment release the Contractor from any of its responsibilities under the Contract Documents.

After determining the amount of a progress payment to be made to the Contractor, the Owner shall withhold a percentage of the progress payment as retainage. The amount of retainage withheld from each progress payment shall be set at five percent (5%). Retainage shall be withheld and may be paid to:

1. ensure proper completion of the Work. The Owner may use retained funds to pay replacement or substitute contractors to complete unfinished or defective work;
2. ensure timely completion of the Work. The Owner may use retained funds to pay liquidated damages; and
3. provide an additional source of funds to pay claims for which the Owner is entitled to indemnification from Contractor under the Contract Documents.

Retained funds shall be held by the Owner in accounts that shall not bear interest. Retainage not otherwise withheld in accordance with the Contract Documents shall be returned to the Contractor as part of the final payment.

#### **H. Withholding Payments to Contractor**

The Owner may withhold payment of some or all of any progress or final payment that would otherwise be due if the Owner determines, in its discretion, that the Work has not been performed in accordance with the Contract Documents. The Owner may use these funds to pay replacement or substitute contractors to complete unfinished or defective Work.

The Owner may withhold payment of some or all of any progress or final payment that would otherwise be due if the Owner determines, in its discretion, that it is necessary and proper to provide an additional source of funds to pay claims for which the Owner is entitled to indemnification from Contractor under the Contract Documents.

Amounts withheld under this section shall be in addition to any retainage.

#### **I. Acceptance of the Work**

When the Work is completed, the Contractor shall request that the Owner perform a final inspection. The Owner shall inspect the Work. If the Owner determines that the Work has been completed in accordance with the Contract Documents, it shall issue a written notice of acceptance of the Work. If the Owner determines that the Work has not been completed in accordance with the Contract Documents, then it shall provide the Contractor with a verbal or written list of items to be completed before another final inspection shall be scheduled.

It is specifically provided that Work shall be deemed accepted on the date specified in the Owner's written notice of acceptance of the Work. The Work shall not be deemed to be accepted based on

"substantial completion" of the Work, use or occupancy of the Work, or for any reason other than the Owner's written Notice of Acceptance. Further, the issuance of a certificate of occupancy for all or any part of the Work shall not constitute a Notice of Acceptance for that Work.

In its discretion, the Owner may issue a Notice of Acceptance covering only a portion of the Work. In this event, the notice shall state specifically what portion of the Work is accepted.

#### **J. Acceptance of Erosion Control Measures**

When the erosion control measures have been completed, the Contractor shall request that the Owner perform a final inspection. The Owner shall inspect the Work. If the Owner determines that the Work has been completed in accordance with the Contract Documents and per TPDES General Construction Permit, it shall issue a written Notice of Acceptance of the Work. If the Owner determines that the Work has not been completed in accordance with the Contract Documents or TPDES General Construction Permit, then it shall provide the Contractor with a verbal or written list of items to be completed before another final inspection shall be scheduled.

#### **K. Final Payment**

After all Work required under the Contract Documents has been completed, inspected, and accepted, the Town shall calculate the final payment amount promptly after necessary measurements and computations are made. The final payment amount shall be calculated to:

1. include the estimate of the value of Work properly completed since the date of the most recent previous progress payment;
2. correct prior progress payments; and
3. include retainage or other amounts previously withheld that are to be returned to Contractor, if any.

Final payment to the Contractor shall not be due until the Contractor provides original full releases of liens from the Contractor and its subcontractors, or other evidence satisfactory to the Owner to show that all sums due for labor, services, and materials furnished for or used in connection with the Work have been paid or shall be paid with the final payment. To ensure this result, Contractor consents to the issuance of the final payment in the form of joint checks made payable to Contractor and others. The Owner may, but is not obligated to issue final payment using joint checks.

Final payment to the Contractor shall not be due until the Contractor has supplied to the Owner original copies of all documents that the Owner determines are reasonably necessary to ensure both that the final payment amount is properly calculated and that the Owner has satisfied its obligation to administer the Construction Agreement in accordance with applicable law. The following documents shall, at a minimum, be required to be submitted prior to final payment being due: redline as-built construction plans; consent of surety to final payment; public infrastructure inventory; affidavit of value for public infrastructure; and, final change order(s). "Redline as-built construction plans" shall include, but are not limited to markups for change orders, field revisions, and quantity overruns as applicable. The list of documents contained in this provision is not an exhaustive and exclusive list for every project performed pursuant to these Contract Documents

and Contractor shall provide such other and further documents as may be requested and required by the Owner to close out a particular project.

Subject to the requirements of the Contract Documents, the Owner shall pay the Final Payment within thirty (30) calendar days after the date specified in the Notice of Acceptance. This provision shall apply only after all Work called for by the Contract Documents has been accepted.

#### **L. Contractor's Warranty**

For a two-year period after the date specified in a written notice of acceptance of Work, Contractor shall provide and pay for all labor and materials that the Owner determines are necessary to correct all defects in the Work arising because of defective materials or workmanship supplied or provided by Contractor or any subcontractor. This shall also include areas of vegetation that did meet TPDES General Construction Permit during final close out but have since become noncompliant.

Forty-five (45) to sixty (60) calendar days before the end of the two-year warranty period, the Owner may make a warranty inspection of the Work. The Owner shall notify the Contractor of the date and time of this inspection so that a Contractor representative may be present. After the warranty inspection, and before the end of the two-year warranty period, the Owner shall mail to the Contractor a written notice that specifies the defects in the Work that are to be corrected.

The Contractor shall begin the remedial work within ten (10) calendar days after receiving the written notice from the Town. If the Contractor does not begin the remedial work timely or prosecute it diligently, then the Owner may pay for necessary labor and materials to effect repairs and these expenses shall be paid by the Contractor, the performance bond surety, or both.

If the Owner determines that a hazard exists because of defective materials and workmanship, then the Owner may take steps to alleviate the hazard, including making repairs. These steps may be taken without prior notice either to the Contractor or its surety. Expenses incurred by the Owner to alleviate the hazard shall be paid by the Contractor, the performance bond surety, or both.

Any Work performed by or for the Contractor to fulfill its warranty obligations shall be performed in accordance with the Contract Documents. By way of example only, this is to ensure that Work performed during the warranty period is performed with required insurance and the performance and payment bonds still in effect.

Work performed during the two-year warranty period shall itself be subject to a one-year warranty. This warranty shall be the same as described in this section.

The Owner may make as many warranty inspections as it deems appropriate.

#### **M. Compliance with Laws**

The Contractor shall be responsible for ensuring that it and any subcontractors performing any portion of the Work required under the Contract Documents comply with all applicable federal, state, county, and municipal laws, regulations, and rules that relate in any way to the performance and completion of the

Work. This provision applies whether or not a legal requirement is described or referred to in the Contract Documents.

Ancillary/Integral Professional Services: In selecting an architect, engineer, land surveyor, or other professional to provide professional services, if any, that are required by the Contract Documents, Contractor shall not do so on the basis of competitive bids but shall make such selection on the basis of demonstrated competence and qualifications to perform the services in the manner provided by Section 2254.004 of the Texas Government Code and shall so certify to the Town the Contractor's agreement to comply with this provision with Contractor's bid.

#### **N. "Anti-Israel Boycott" Provision**

In accordance with Chapter 2270, Texas Government Code, a Texas governmental entity may not enter into a contract with a company for the provision of goods or services unless the contract contains a written verification from the company that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the contract. Chapter 2270 does not apply to a (1) a company that is a sole proprietorship; (2) a company that has fewer than ten (10) full-time employees; or (3) a contract that has a value of less than One Hundred Thousand Dollars (\$100,000.00). Unless the company is not subject to Chapter 2270 for the reasons stated herein, the signatory executing this Agreement on behalf of the company verifies by its signature to this Contract that the company does not boycott Israel and will not boycott Israel during the term of this Contract.

#### **O. Other Items**

The Contractor shall sign the Construction Agreement, and deliver signed performance, payment and maintenance bonds and proper insurance policy endorsements (and/or other evidence of coverage) within ten (10) calendar days after the Owner makes available to the Contractor copies of the Contract Documents for signature. Six (6) copies of the Contract Documents shall be signed by an authorized representative of the Contractor and returned to the Town.

The Construction Agreement "effective date" shall be the date on which the Town Council acts to approve the award of the Contract for the Work to Contractor. It is expressly provided, however, that the Town Council delegates the authority to the Town Manager or his designee to rescind the Contract award to Contractor at any time before the Owner delivers to the Contractor a copy of this Construction Agreement that bears the signature of the Town Manager and Town Secretary or their authorized designees. The purpose of this provision is to ensure:

1. that Contractor timely delivers to the Owner all bonds and insurance documents; and
2. that the Owner retains the discretion not to proceed if the Town Manager or his designee determines that information indicates that the Contractor was not the lowest responsible bidder or that the Contractor cannot perform all of its obligations under the Contract Documents.

**THE CONTRACTOR AGREES THAT IT SHALL HAVE NO CLAIM OR CAUSE OF ACTION OF ANY KIND AGAINST OWNER, INCLUDING A CLAIM FOR BREACH OF CONTRACT, NOR SHALL THE OWNER BE REQUIRED TO PERFORM UNDER THE CONTRACT DOCUMENTS, UNTIL THE DATE THE**

**OWNER DELIVERS TO THE CONTRACTOR A COPY OF THE CONSTRUCTION AGREEMENT BEARING THE SIGNATURES JUST SPECIFIED.**

The Contract Documents shall be construed and interpreted by applying Texas law. Exclusive venue for any litigation concerning the Contract Documents shall be Collin County, Texas.

In the event of any disagreement or conflict concerning the interpretation of this Agreement, and such disagreement cannot be resolved by the signatories hereto, the signatories agree to submit such disagreement to non-binding mediation.

Although the Construction Agreement has been drafted by the Owner, should any portion of the Construction Agreement be disputed, the Owner and Contractor agree that it shall not be construed more favorably for either party.

The Contract Documents are binding upon the Owner and Contractor and shall insure to their benefit and as well as that of their respective successors and assigns.

If Town Council approval is not required for the Construction Agreement under applicable law, then the Construction Agreement "effective date" shall be the date on which the Town Manager and Town Secretary or their designees have signed the Construction Agreement. If the Town Manager and Town Secretary sign on different dates, then the later date shall be the effective date.

*[Signatures continued on following page.]*



**DURABLE SPECIALTIES, INC.**

**TOWN OF PROSPER, TEXAS**

\_\_\_\_\_  
By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Address: P.O. Box 535969  
Grand Prairie, Texas 75053

Phone: (972) 296-6324  
Email: keith@durablespecialties.com

\_\_\_\_\_  
By: **HARLAN JEFFERSON**

Title: Town Manager

Date: \_\_\_\_\_

Address: 250 W. First St.  
P.O. Box 307  
Prosper, Texas 75078

Phone: (972) 346-2640  
Email: hjefferson@prospertx.gov

ATTEST:

\_\_\_\_\_  
MELISSA LEE  
Town Secretary

## PERFORMANCE BOND

STATE OF TEXAS                    )  
  )  
COUNTY OF COLLIN        )

**KNOW ALL MEN BY THESE PRESENTS:** That \_\_\_\_\_ whose address is \_\_\_\_\_, hereinafter called Principal, and \_\_\_\_\_, a corporation organized and existing under the laws of the State of \_\_\_\_\_, and fully licensed to transact business in the State of Texas, as Surety, are held and firmly bound unto the **TOWN OF PROSPER**, a home-rule municipal corporation organized and existing under the laws of the State of Texas, hereinafter called "Beneficiary", in the penal sum of \_\_\_\_\_ Dollars (\$\_\_\_\_\_) plus fifteen percent (15%) of the stated penal sum as an additional sum of money representing additional court expenses, attorneys' fees, and liquidated damages arising out of or connected with the below identified Contract in lawful money of the United States, to be paid in Collin County, Texas, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents. The penal sum of this Bond shall automatically be increased by the amount of any Change Order or Supplemental Agreement, which increases the Contract price, but in no event shall a Change Order or Supplemental Agreement, which reduces the Contract price, decrease the penal sum of this Bond.

**THE OBLIGATION TO PAY SAME** is conditioned as follows: Whereas, the Principal entered into a certain Contract with the Town of Prosper, the Beneficiary, dated on or about the **27th day of October, A.D. 2020**, a copy of which is attached hereto and made a part hereof, to furnish all materials, equipment, labor, supervision, and other accessories necessary for the construction of:

### **CSP NO. 2021-08-B TRAFFIC SIGNAL CONSTRUCTION AT FISHTRAP ROAD/GEE ROAD AND COIT ROAD/RICHLAND BLVD**

in the Town of Prosper, Texas, as more particularly described and designated in the above-referenced contract such contract being incorporated herein and made a part hereof as fully and to the same extent as if written herein word for word.

**NOW, THEREFORE**, if the Principal shall well, truly and faithfully perform and fulfill all of the undertakings, covenants, terms, conditions and agreements of said Contract in accordance with the Plans, Specifications and Contract Documents during the original term thereof and any extension thereof which may be granted by the Beneficiary, with or without notice to the Surety, and during the life of any guaranty or warranty required under this Contract, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions and agreements of any and all duly authorized modifications of said Contract that may hereafter be made, notice of which modifications to the Surety being hereby waived; and, if the Principal shall repair and/or replace all defects due to faulty materials and workmanship that appear within a period of one (1) year from the date of final completion and final acceptance of the Work by Owner; and, if the Principal shall fully indemnify and save harmless the Beneficiary from and against all costs and damages which Beneficiary may suffer by reason of failure to so perform herein and shall fully reimburse and repay Beneficiary all outlay and expense which the Beneficiary may incur in making good any default or deficiency, then this obligation shall be void; otherwise, it shall remain in full force and effect.

**PROVIDED FURTHER**, that if any legal action were filed on this Bond, exclusive Venue shall lie in Collin County, Texas.

**AND PROVIDED FURTHER**, that the said Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract or to the Work to be performed thereunder or the Plans, Specifications and Drawings, etc., accompanying the same shall in anywise affect its obligation on this Bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract, or to the Work or to the Specifications.

This Bond is given pursuant to the provisions of Chapter 2253 of the Texas Government Code, and any other applicable statutes of the State of Texas.

The undersigned and designated agent is hereby designated by the Surety herein as the Resident Agent in Collin County or Dallas County to whom any requisite notices may be delivered and on whom service of process may be had in matters arising out of such suretyship, as provided by Article 7.19-1 of the Insurance Code, Vernon's Annotated Civil Statutes of the State of Texas.

IN WITNESS WHEREOF, this instrument is executed in two copies, each one of which shall be deemed an original, this, the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

**PRINCIPAL:**

By: \_\_\_\_\_  
Signature

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed/Printed Name

\_\_\_\_\_  
Typed/Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Phone Fax

\_\_\_\_\_  
Phone Fax

*[Signatures continued on following page.]*

ATTEST:

SURETY:

By: \_\_\_\_\_  
Signature

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Phone Fax

\_\_\_\_\_  
Phone Fax

The Resident Agent of the Surety in Collin County or Dallas County, Texas, for delivery of notice and service of the process is:

NAME: \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP: \_\_\_\_\_

**NOTE:** Date on **Page 1** of Performance Bond must be **same date as Contract**. Date on **Page 2** of Performance Bond must be **after date of Contract**. If Resident Agent is not a corporation, give a person's name.

## PAYMENT BOND

STATE OF TEXAS                    )  
  )  
COUNTY OF COLLIN        )

**KNOW ALL MEN BY THESE PRESENTS:** That \_\_\_\_\_ whose address is \_\_\_\_\_, hereinafter called Principal, and \_\_\_\_\_, a corporation organized and existing under the laws of the State of \_\_\_\_\_, and fully licensed to transact business in the State of Texas, as Surety, are held and firmly bound unto the **TOWN OF PROSPER**, a home-rule municipal corporation organized and existing under the laws of the State of Texas, hereinafter called "Owner", and unto all persons, firms, and corporations who may furnish materials for, or perform labor upon the building or improvements hereinafter referred to in the penal sum of \_\_\_\_\_ DOLLARS (\$\_\_\_\_\_) (one hundred percent (100%) of the total bid price) in lawful money of the United States, to be paid in Collin County, Texas, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents. The penal sum of this Bond shall automatically be increased by the amount of any Change Order or Supplemental Agreement, which increases the Contract price, but in no event shall a Change Order or Supplemental Agreement, which reduces the Contract price, decrease the penal sum of this Bond.

**THE OBLIGATION TO PAY SAME** is conditioned as follows: Whereas, the Principal entered into a certain Contract with the Town of Prosper, the Owner, dated on or about the **27th day of October, A.D. 2020**, a copy of which is attached hereto and made a part hereof, to furnish all materials, equipment, labor, supervision, and other accessories necessary for the construction of:

**CSP NO. 2021-08-B  
TRAFFIC SIGNAL CONSTRUCTION AT FISHTRAP ROAD/GEE ROAD AND  
COIT ROAD/RICHLAND BLVD**

**NOW THEREFORE**, if the Principal shall well, truly and faithfully perform its duties and make prompt payment to all persons, firms, subcontractors, corporations and claimants supplying labor and/or material in the prosecution of the Work provided for in the above-referenced Contract and any and all duly authorized modifications of said Contract that may hereafter be made, notice of which modification to the Surety is hereby expressly waived, then this obligation shall be void; otherwise it shall remain in full force and effect.

**PROVIDED FURTHER**, that if any legal action were filed on this Bond, exclusive venue shall lie in Collin County, Texas.

**AND PROVIDED FURTHER**, that the said Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract, or to the Work performed thereunder, or the Plans, Specifications, Drawings, etc., accompanying the same, shall in anywise affect its obligation on this Bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract, or to the Work to be performed thereunder.

This Bond is given pursuant to the provisions of Chapter 2253 of the Texas Government Code, and any other applicable statutes of the State of Texas.

The undersigned and designated agent is hereby designated by the Surety herein as the Resident Agent in Collin County or Dallas County to whom any requisite notices may be delivered and on whom service of process may

be had in matters arising out of such suretyship, as provided by Article 7.19-1 of the Insurance Code, Vernon's Annotated Civil Statutes of the State of Texas.

**IN WITNESS WHEREOF**, this instrument is executed in two copies, each one of which shall be deemed an original, this, the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

**PRINCIPAL:**

By: \_\_\_\_\_  
Signature

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed/Printed Name

\_\_\_\_\_  
Typed/Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Phone Fax

\_\_\_\_\_  
Phone Fax

*[Signatures continued on following page.]*

ATTEST:

By: \_\_\_\_\_  
Signature\_\_\_\_\_  
Printed Name\_\_\_\_\_  
Title\_\_\_\_\_  
Address\_\_\_\_\_  
City State Zip\_\_\_\_\_  
Phone Fax

SURETY:

By: \_\_\_\_\_  
Signature\_\_\_\_\_  
Printed Name\_\_\_\_\_  
Title\_\_\_\_\_  
Address\_\_\_\_\_  
City State Zip\_\_\_\_\_  
Phone Fax

The Resident Agent of the Surety in Collin County or Dallas County, Texas, for delivery of notice and service of the process is:

NAME: \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP: \_\_\_\_\_

**NOTE:** Date on **Page 1** of Performance Bond must be **same date as Contract**. Date on **Page 2** of Performance Bond must be **after date of Contract**. If Resident Agent is not a corporation, give a person's name.

## MAINTENANCE BOND

STATE OF TEXAS                    )  
  )  
COUNTY OF COLLIN                )

**KNOW ALL MEN BY THESE PRESENTS:** That \_\_\_\_\_ whose address is \_\_\_\_\_, hereinafter referred to as "Principal," and \_\_\_\_\_, a corporate surety/sureties organized under the laws of the State of \_\_\_\_\_ and fully licensed to transact business in the State of Texas, as Surety, hereinafter referred to as "Surety" (whether one or more), are held and firmly bound unto the **TOWN OF PROSPER**, a Texas municipal corporation, hereinafter referred to as "Owner," in the penal sum of \_\_\_\_\_ DOLLARS (\$\_\_\_\_\_) (one hundred percent (100%) of the total bid price), in lawful money of the United States to be paid to Owner, its successors and assigns, for the payment of which sum well and truly to be made, we bind ourselves, our successors, heirs, executors, administrators and successors and assigns, jointly and severally; and firmly by these presents, the condition of this obligation is such that:

**WHEREAS**, Principal entered into a certain written Contract with the Town of Prosper, dated on or about the **27th day of October, 2020**, to furnish all permits, licenses, bonds, insurance, products, materials, equipment, labor, supervision, and other accessories necessary for the construction of:

**CSP NO. 2021-08-B**  
**TRAFFIC SIGNAL CONSTRUCTION AT FISHTRAP ROAD/GEE ROAD AND**  
**COIT ROAD/RICHLAND BLVD**

in the Town of Prosper, Texas, as more particularly described and designated in the above-referenced contract, such contract being incorporated herein and made a part hereof as fully and to the same extent as if written herein word for word:

**WHEREAS**, in said Contract, the Principal binds itself to use first class materials and workmanship and of such kind and quality that for a period of two (2) years from the completion and final acceptance of the improvements by Owner the said improvements shall require no repairs, the necessity for which shall be occasioned by defects in workmanship or materials and during the period of two (2) years following the date of final acceptance of the Work by Owner, Principal binds itself to repair or reconstruct said improvements in whole or in part at any time within said period of time from the date of such notice as the Town Manager or his designee shall determine to be necessary for the preservation of the public health, safety or welfare. If Principal does not repair or reconstruct the improvements within the time period designated, Owner shall be entitled to have said repairs made and charge Principal and/or Surety the cost of same under the terms of this Maintenance Bond.

**NOW, THEREFORE**, if Principal will maintain and keep in good repair the Work herein contracted to be done and performed for a period of two (2) years from the date of final acceptance and do and perform all necessary work and repair any defective condition (it being understood that the purpose of this section is to cover all defective conditions arising by reason of defective materials, work or labor performed by Principal) then this obligation shall be void; otherwise it shall remain in full force and effect and Owner shall have and recover from Principal and its Surety damages in the premises as provided in the Plans and Specifications and Contract.

**PROVIDED**, however, that Principal hereby holds harmless and indemnifies Owner from and against any claim or liability for personal injury or property damage caused by and occurring during the performance of said maintenance and repair operation.



**PROVIDED**, further, that if any legal action be filed on this Bond, exclusive venue shall lie in Collin County, Texas.

**AND PROVIDED FURTHER**, Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract or to the Work performed thereunder, or the Plans, Specifications, Drawings, etc. accompanying same shall in any way affect its obligation on this Bond; and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract or to the Work to be performed thereunder.

The undersigned and designated agent is hereby designated by Surety as the resident agent in either Collin or Dallas Counties to whom all requisite notice may be delivered and on whom service of process may be had in matters arising out of this suretyship.

IN WITNESS WHEREOF, this instrument is executed in two copies, each one of which shall be deemed an original, on this the \_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

**PRINCIPAL:**

By: \_\_\_\_\_  
Signature

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed/Printed Name

\_\_\_\_\_  
Typed/Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Phone Fax

\_\_\_\_\_  
Phone Fax

*[Signatures continued on following page.]*

**ATTEST:**

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Phone Fax

**SURETY:**

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Phone Fax

## SPECIAL CONDITIONS

**SC.01 PURPOSE:** The Special Conditions contained herein set forth conditions or requirements particular to this Contract: **CSP NO. 2021-08-B TRAFFIC SIGNAL CONSTRUCTION AT FISHTRAP ROAD/GEE ROAD AND COIT ROAD/RICHLAND BLVD**

The Special Conditions supplement the General Conditions and the Standard Specifications and take precedence over any conditions or requirements of the General Conditions and the Standard Specifications with which they are in conflict.

**SC.02 DEFINITIONS:** The following words and expressions, or pronouns used in their place, shall wherever they appear in this Contract, be construed as follows, unless a different meaning is clear from the context:

**ENGINEER:** The Engineer of Record for Fishtrap Road / Gee Road: Dave Carter, P.E., Stantec  
The Engineer of Record for Coit Road / Richland Blvd: Rhett Dollins, P.E., Maldonado-Burkett

**SC.03 MINIMUM STANDARDS OF RESPONSIBILITY:** A prospective vendor must affirmatively demonstrate responsibility. The Town of Prosper may request representation and other information sufficient to determine respondent's ability to meet the minimum standards, including but not limited to:

- A. Have adequate financial resources, or the ability to obtain such resources as required;
- B. Have a satisfactory record of performance on a minimum of three (3) completed projects of similar scope, quantities, and cost, within the past five (5) years;
- C. Ability to comply with the required or proposed delivery schedule;
- D. Have a satisfactory record of integrity and ethics; and
- E. Be otherwise qualified and eligible to receive an award.

**SC.04 INTRODUCTION:** The Town of Prosper ("Town") is accepting competitive sealed proposals (CSP) for furnishing all labor, equipment and materials (except as otherwise specified), and performing all work necessary for the construction of construction of traffic signals at the intersections of Fishtrap Road/Gee Road and Coit Road/Richland Blvd..

The contract will be awarded based on the evaluation criteria stated herein. This document provides interested firms with the information necessary to prepare and submit a proposal for consideration. Proposals are to be submitted in accordance with this document, and the accompanying instructions.

There is no expressed or implied obligation for the Town to reimburse responding firms for any expenses incurred in preparing proposals in response to this request. All costs directly or indirectly related to preparation of a response to this request for competitive sealed proposals (CSP), any oral presentation required to supplement and/or clarify a proposal, and/or reasonable demonstrations which may be, at its discretion, required by the Town shall be the sole responsibility of, and shall be borne completely by the proposer.

Proposals for the projects as specified will be received online, or in hard copy. The date/time stamp located in the Purchasing Office serves as the official time clock. Late Submissions will not be considered. Submissions received after the stated deadline shall be refused and returned unopened. The Town of Prosper is not responsible for issues encountered with methods of delivery. The Town reserves the right to reject any or all proposals submitted.

Proposals submitted will be reviewed by Town staff. It is the responsibility of the proposer to ensure the receipt of any and all addenda related to the proposal. It shall be the sole responsibility of the respondent to

insure that their proposal is received by the Purchasing Office within the time limit indicated. Late proposals will not be considered.

During the evaluation process, the Town reserves the right, where it may serve the Town's best interest, to request additional information or clarifications from proposers, or to allow corrections of errors or omissions. At the discretion of the Town, firms submitting proposals may be requested to make oral presentations as part of the evaluation process, including an oral presentation to the Town Council.

The Town reserves the right to retain all proposals submitted, and to use any ideas in a proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the firm of the conditions contained in this CSP, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the Town and the firm selected. All proposals submitted will remain valid for a period of 90 days subsequent to the CSP due date.

**SC.05 SPECIFICATIONS:** Proposal must meet or exceed the specifications and requirements herein, in order to be considered.

**SC06 SUBMITTALS:** In order for your proposal to be considered responsive, the following information must be submitted:

A. Qualifications and Experience

- 1) Outline contractor and subcontractor experience with similar projects, and label as **Attachment A1**.
- 2) Submit resumes for key personnel that will be assigned to the project (executive and management team, as well as on-site project manager) and label as **Attachment A2**.
- 3) Complete and submit the Completed Projects and References Worksheet and label as **Attachment A3**.
- 4) Submit a copy of an actual project schedule used during construction and label as **Attachment A4**.

B. Pricing

You should respond to all Bid Lines listed for this project as follows:

- 1) For online submissions, please submit pricing for all Bid Lines.
- 2) For hard copy submissions, you must print and complete the Bid Lines and submit it with your proposal.
- 3) The Town is exempt from paying Texas State or local sales and use taxes. Please ensure the prices proposed do not include taxes.

C. Bid Proposal Conditions (Bid Attributes)

- 1) For online submissions, you must select "I Agree", or provide the requested information for each Bid Attribute.
- 2) For hard copy submissions, you must complete and print the Bid Attributes section and submit it with your proposal.

D. Supplier Information

- 1) For hard copy submissions, you must complete and print the Supplier Information section and submit it with your proposal.

**SC.07 EVALUATION CRITERIA:** A review committee will evaluate submissions received in accordance with the general criteria defined herein. Failure of respondents to provide in their submission any information requested in this CSP may result in disqualification of the submission. The objective of the review committee will be to select the Proposal that provides the best value to the Town. The decision made by the Town of Prosper will be final. The agreement will be awarded based on the following evaluation criteria:

- A. Qualifications and Experience (30%)
- B. Proposed Project Timeline (20%)
- C. Cost Proposal (50%)

**SC.08 INTERVIEWS AND PRESENTATIONS:** In fairness to all firms, requests for interviews prior to the closing time and date will not be permitted. Interviews with selected firms may or may not be requested by the Town after the closing date. Selection may be made strictly from the information provided in the Proposal. However, the Town reserves the right to conduct interviews with and request presentations from any respondents.

**SC.09 SELECTION AND AWARD:** If the Town is unable to reach an agreement with the first-ranked Contractor, the Town shall terminate further discussions with the first-ranked Contractor, and commence negotiations with the next-ranked Contractor, in the order of the selection ranking until an agreement is reached, or all Proposals are rejected. Time is of the essence, and the award of the contract to the successful Contractor is expressly conditioned upon (1) the Contractor's execution and delivery of the Contract, and delivery of all required bonds and evidence of insurance, within ten (10) calendar days after the Contractor is notified of the acceptance of its Proposal, and (ii) the Contractor's timely fulfillment of any and all other preconditions expressly set forth in the Contract Documents. Should the Contractor fail to timely execute and deliver the contract, required bonds, evidence of insurance, or fail to timely fulfill any other such preconditions, the Town may, at its option and discretion, without releasing, impairing or affecting its right to receive the Proposal security as damages for such failure, rescind the award, commence negotiations with the next ranked Contractor, or may reject all Proposals.

There will be no contractual obligation on the part of the Town to any Contractor, nor will any firm have any property interest or other right in the contract or work being proposed, unless and until the Agreement is unconditionally executed and delivered by all parties, all submittals required by the Proposal Documents and Agreement and all conditions to be fulfilled by the selected firm have either been so fulfilled by the firm, or waived in writing by the firm or Town, as applicable.

**SC.10 SUBMISSION OR DELIVERY OF PROPOSAL:** Proposals for the construction services specified will be received online, or in hard copy. The date/time stamp located in the Purchasing Office serves as the official time clock. Late Submissions will not be considered. Submissions received after the stated deadline shall be refused and returned unopened. The Town of Prosper is not responsible for issues encountered with methods of delivery.

- A. Online Submission

Proposals may be submitted online through IonWave.net, the Town's e-procurement system. Please ensure that you provide all required information, including attachments. Any additional response attachments must be uploaded and included with your submission in order to be considered.

- B. Mailed/Delivered Submission

Proposals must be submitted with the CSP number and the respondent's name and address clearly indicated on the front of the envelope. Please submit one (1) unbound original and one (1) copy of your proposal, in a sealed envelope or package to the address listed below:

**Delivery Address:**

Town of Prosper  
 Attn: Purchasing Manager  
 250 W. First St.  
 3<sup>rd</sup> Floor Finance Suite  
 Prosper, Texas 75078

**Mailing Address (US Postal Service Only):**

Town of Prosper  
 Attn: Purchasing Manager  
 P.O. Box 307  
 Prosper, Texas 75078

**SC.11 TOWN PROVIDED ITEMS:** The following items have been pre-purchased by the Town for this project:

**Richland/Coit Traffic Signal**

| <b>Quantity</b> | <b>Description</b>  |
|-----------------|---|
| 1               | 110610-MM Model 764 Multimode Phase Selector  |
| 4               | 110258 Model 721 Detector   |
| 1000            | 110216B Model 138 Cable 1,000 Ft Roll (Per Ft.)   |
| 4               | 201011 3/4" Narrow Hub (IR)   |
| 1               | 87 - ICCU-S2 ICCU - Shelf Model Including Hardware Kit  |
| 8               | 87-iNS23TNO-B 9X15 iNS2 APS Push Button Station Black/Black   |
| 8               | 201502 Square Base  |
| 8               | Paint Adder Paint for Base  |
| 8               | 201020 Collar   |
| 8               | PB-5325-PXX Collar Paint  |
| 8               | 201001B 10' Aluminum Pole (Paint)   |
|                 | 1 M76119 353i Garland Cabinet Includes Aux Display, Input Test Panel/Card, 9 LS<br>2202 Flashers, 2 SIU 2218-MC, 12 |
| 1               | 161407 ArmorCast Traffic Cabinet Pedestal   |
| 2               | 44' SMA-80L-8 44' SMA-80L-8   |
| 2               | 60' LMA-80/100L-8 60' LMA-80/100L-8   |
| 1               | 710001 APC Secure UPS 1300VA/1300 W 120 VAC In/Out RM Conformal Coated  |
| 1               | 710002NOGEN APC Schneider SecureUPS Bypass Unit W/O Generator input,<br>W/O Batteries                               |
| 1               | 710003 APC Schneider Battery Harness 12'  |
| 1               | 710009 Set of 4 APC 100 Amp 48V Batteries   |
| 4               | CP824DTJNNAAD1 8' x 24" viewable area with retroreflective background and EC film                                   |
| 8               | MISCDECAL Logo Two or more colors price per sign  |
| 4               | PHOTOCELL-SWIVEL Photocell Tork Swivel  |
| 4               | EZ Bar Even Free Swing from mast arm both fixed heights   |
| 1               | Upgrade M76119 to Prosper ATC cabinet   |
| 1               | Upgrade 161407 to Aluminum Powder coated two piece sub base   |

**Fishtrap/Gee Traffic Signal**

| <b>Quantity</b> | <b>Description</b>  |
|-----------------|---|
| 1               | SP-30B-80L-8 SP-30B-80L-8   |
| 1               | 110610-MM Model 764 Multimode Phase Selector  |
| 3               | 110258 Model 721 Detector   |
| 500             | 110216A Model 138 Cable 500 Ft Roll (Per Ft.)   |
| 3               | 101001 Span Wire Clamp  |
| 1               | 87 - ICCU-S2 ICCU - Shelf Model Including Hardware Kit  |
| 4               | 87-iNS23TNO-B 9X15 iNS2 APS Push Button Station Black/Black   |
| 1               | 201502 Square Base  |
| 1               | Paint Adder Paint for Base  |
| 1               | PNS-10-501312GR Grounding Rod with Clamp and Wire   |
| 1               | PB-5325-PXX Painted Collar  |
| 1               | 201001B 10' Aluminum Pole (Paint)   |
| 1               | M54705 356i ATC Cabinet, Fully Loaded, NO Controller,   |
| 2               | SP-30B-80 SP-30B-80   |
| 2               | SP-30B-80L-8 SP-30B-80L-8   |
| 1               | APC-TXDOT Turnkey UPS w/ APC Secure UPS 1300VA/1300 W 120 VAC In/Out RM,<br>Bypass Unit, 12' Harness, |
| 1               | Upgrade M76119 to Prosper 356 Cabinet   |
| 4               | M14612- BRKT,POLE MOUNT ASSY,ALUM CABINET MOUNTING HARDWAR  |

\*Powder coating is included in the Traffic signal pole price

## **TECHNICAL SPECIFICATIONS**

**TS.01:** Bidders are specifically directed to become thoroughly familiar with the following standard specifications, in order of precedence, that shall apply to this project unless otherwise noted in the Bidding Documents:

1. Town of Prosper Standards
2. The North Central Texas Council of Governments' (NCTCOG) Standard Specifications for Public Works Construction, Fifth Edition, dated November 2017.
3. Texas Department of Transportation (TXDOT) Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges, dated November 2014.





## 2021-08-B Addendum 1 DURABLE SPECIALTIES, INC. Supplier Response

### Event Information

Number: 2021-08-B Addendum 1  
Title: Traffic Signal Construction at Fishtrap Road/Gee Road and Coit Road/Richland Blvd.  
Type: Competitive Sealed Proposals  
Issue Date: 9/18/2020  
Deadline: 10/8/2020 03:00 PM (CT)  
Notes: **ENGINEER'S ESTIMATE: \$419,825**

The Town of Prosper is accepting competitive sealed proposals for **CSP NO. 2021-08-B TRAFFIC SIGNAL CONSTRUCTION AT FISHTRAP ROAD / GEE ROAD AND COIT ROAD / RICHLAND BLVD.** Proposals will be accepted online through **IonWave.net**, the Town's e-procurement system, or in hard copy in the **Purchasing Office located in the 3rd Floor Finance Suite of Town Hall, 250 W. First St., Prosper, Texas 75078** until **3:00 P.M. on Thursday, October 8, 2020.** Any proposals received after this time will not be accepted, and will be returned unopened. **The proposal opening will be held online on Thursday, October 8, 2020 @ 3:30 P.M.** To participate in the proposal opening, please use the following:

Join Zoom Meeting:  
<https://us02web.zoom.us/j/84914991402>  
Meeting ID: 849 1499 1402  
Dial-in any of these numbers: +1 929 436 2866, +1 312 626 6799,

The Project consists of furnishing all labor, equipment and materials (except as otherwise specified), and performing all work necessary for the construction of traffic signals at the intersections of Fishtrap Road/Gee Road and Coit Road/Richland Blvd. A list of materials that have been purchased by the Town of Prosper will be provided.

Each proposal submitted shall be accompanied by a cashier's check in the amount of 5% of the maximum amount proposed, payable without recourse to the Town of Prosper, or a Bid Bond in the same amount from a reliable surety company as a guarantee that, if awarded the contract, the successful Contractor will execute a Construction Agreement with the Town, including all required bonds and other documents.

The successful Contractor shall furnish a Performance Bond in the amount of 115% of the contract amount, and a Payment Bond in the amount of 100% of the contract amount, as well as evidence of all required insurance coverage within ten (10) calendar days of notice of award. The successful Contractor shall also furnish a Maintenance Bond in the amount of 100% of the contract amount covering defects of material and workmanship for two calendar years following the Town's approval and acceptance of the construction. An approved surety company, licensed in the State of Texas, shall issue all bonds in accordance with Texas law.

Copies of Plans, Specifications, and Contract Documents may be examined at **Town of Prosper Engineering Department, 250 W. First Street, Prosper, Texas, 75078, Phone: (972) 569-1198** without charge. These documents may be acquired from that office for the non-refundable purchase price of \$50 per set, payable to the Town of Prosper. Copies of Plans, Specifications, and Contract Documents may also be downloaded free of charge from Current Bidding Opportunities, at the following link:  
<http://www.prospertx.gov/business/bid-opportunities/>.

Questions and requests for clarifications in regards to this proposal should be submitted in writing through IonWave.net, the Town's e-procurement system, or emailed directly to January Cook, CPPO, CPPB, Purchasing Manager, at [jcook@prospertx.gov](mailto:jcook@prospertx.gov). The deadline for receipt of questions and requests for clarifications is **12:00 P.M. on Wednesday, September 30, 2020**. After that day and time, no further questions or requests for clarifications will be accepted or answered by the Engineer or Town.

If you are downloading plans, please complete and submit the Planholder Registration Form to be included on the official Planholder List.

## Contact Information

Contact: January Cook Purchasing Manager

Address: Purchasing Office

Town Hall

3rd Floor

250 W. First St.

P.O. Box 307

Prosper, TX 75078

Phone: (972) 569-1018

Email: [jcook@prospertx.gov](mailto:jcook@prospertx.gov)

# DURABLE SPECIALTIES, INC. Information

Attachment 3

Item 4.

Contact: Keith Fox  
Address: PO BOX 535969  
GRAND PRAIRIE, TX 75053  
Phone: (972) 296-6324  
Email: keith@durablespecialties.com

By submitting your response, you certify that you are authorized to represent and bind your company.

Patrick C. Bryan  
*Signature*

Patrick@durablespecialties.com  
*Email*

Submitted at 10/8/2020 1:54:18 PM

## Requested Attachments

### Bid Bond

Bid Bond for CSP NO. 2021-08-B.pdf

### Attachment A1

Durable Specialties qualifications.pdf

Contractor and Subcontractor Experience with Similar Projects

### Attachment A2

ATTACHMENT A2 qualifications of key personnel.pdf

Qualifications of Key Personnel

### Attachment A3

ATTACHMENT A3 completed projects and references worksheet.pdf

Completed Projects and References Worksheet

### Attachment A4

ATTACHMENT A4 copy of actual project schedule .pdf

Copy of an actual project schedule used during same or similar construction project

### Conflict of Interest Questionnaire

No response

Only if applicable

### Out of State Contractor Compliance Form

No response

Only if applicable

## Bid Attributes

### 1 Bid Proposal Condition No. 1

The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an agreement with Owner in the form included in the Contract Documents to perform and furnish all Work as specified or indicated in the Contract Documents for the Contract Price and within the Contract Time indicated in this Bid and in accordance with the other terms and conditions of the Contract Documents.

I Agree

### 2 Bid Proposal Condition No. 2

Bidder accepts all of the terms and conditions of the Advertisement or Invitation to Bid and Instructions to Bidders, including without limitation those terms and conditions dealing with the disposition of Bid guaranty. This Bid will remain subject to acceptance for 90 calendar days after the day of opening Bids. Bidder will sign and submit the Agreement with the Bonds and other documents required by the Contract Documents within ten (10) calendar days after the date of Owner's Notice of Award.

I Agree

**3 Bid Proposal Condition No. 3**

The right is reserved, as the interest of the Owner may require, to reject any and all Bids and to waive any informality in the Bids received.

I Agree

**4 Bid Proposal Condition No. 4**

Bidder has familiarized itself with the nature and extent of the Contract Documents, Work, site, locality, and all local conditions and Laws and Regulations that in any manner may affect cost, progress, performance or furnishing of the Work.

I Agree

**5 Bid Proposal Condition No. 5**

Bidder has obtained and carefully studied (or assumes responsibility for obtaining and carefully studying) all such examinations, investigations, explorations, tests and studies that pertain to the subsurface or physical conditions at the site or which otherwise may affect the cost, progress, performance or furnishing of the Work as Bidder considers necessary for the performance or furnishing of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents, and no additional examinations, investigations, explorations, tests, reports or similar information or data are or will be required by Bidder for such purposes.

I Agree

**6 Bid Proposal Condition No. 6**

Bidder has reviewed and checked all information and data shown or indicated on the Contract Documents with respect to existing Underground Facilities at or contiguous to the site and assumes responsibility for the accurate location of said Underground Facilities. No additional examinations, investigations, explorations, tests, reports or similar information or data in respect of said Underground Facilities are or will be required by the Bidder in order to perform and furnish the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents.

I Agree

**7 Bid Proposal Condition No. 7**

Bidder has correlated the results of all such observations, examinations, investigations, explorations, tests, reports and studies with the terms and conditions of the Contract Documents.

I Agree

**8 Bid Proposal Condition No. 8**

Bidder has given Engineer written notice of all conflicts, errors or discrepancies that it has discovered, if any, in the Contract Documents and the written resolution thereof by Engineer is acceptable to Bidder.

I Agree

**9 Bid Proposal Condition No. 9**

This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any person, firm or corporation to refrain from submitting a Bid; and Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over Owner.

I Agree

1  
0

**Bid Proposal Condition No. 10**

Bidder will substantially complete the Work for the price(s) shown in the schedule of bid items within **the number of calendar days proposed, based on date of Notice to Proceed.**

I Agree

1  
1

**Bid Proposal Condition No. 11**

Bidder hereby agrees to commence work within ten (10) days after the date written notice to proceed shall have been given to him, and to substantially complete the work on which he has bid within **the number of calendar days proposed** as part of this Proposal. Within the number of additional calendar days proposed after Substantial Completion, all outstanding issues shall be addressed and ready for final payment. All such time restrictions are subject to such extensions of time as are provided by the General Provisions and Special Conditions.

I Agree

1  
2

**Bid Proposal Condition No. 12**

Bidder agrees that the implementation of the Owner's right to delete any portion of the improvements shall not be considered as waiving or invalidating any conditions or provisions of the contract or bonds. Bidder shall perform the Work as altered and no allowances shall be made for anticipated profits.

I Agree

1  
3

**Bid Proposal Condition No. 13**

Since the Work on this Project is being performed for a governmental body and function, the Owner will issue to the Contractor a certificate of exemption for payment for the State Sales TAX on materials incorporated into this Project if requested.

I Agree

1  
4

**Bid Proposal Condition No. 14**

In the event of the award of a contract, vendor will furnish a Performance Bond for 115% of the contract amount, and a Payment Bond for 100% of the contract amount, to secure proper compliance with the terms and provisions of the contract with sureties offered by **surety company named in the space provided**, to insure and guarantee the work until final completion and acceptance, and to guarantee payment of all lawful claims for labor performed and materials furnished in the fulfillment of the contract. **In addition, the undersigned will furnish a Maintenance Bond for 100% of the contract amount covering defects of material and workmanship for two calendar years following the Owner's approval and acceptance of the construction.**

I Agree

1  
5

**Bid Proposal Condition No. 15**

The work, proposed to be done, shall be accepted when fully completed in accordance with the plans and specifications, to the satisfaction of the Engineer and the Owner.

I Agree

1  
6

**Bid Proposal Condition No. 16**

The vendor submitting this Bid certifies that the bid prices contained in this Bid have been carefully checked and are submitted as correct and final.

I Agree

1  
7

**Base Bid**

Cost of Materials

|        |  |              |         |
|--------|--|--------------|---------|
| 1<br>8 | <b>Base Bid</b><br>Cost of Labor, Profit, etc.<br><input style="width: 100%;" type="text" value="\$238000.00"/>  | Attachment 3 | Item 4. |
| 1<br>9 | <b>Addendum No. 1</b><br>Bidder has examined copies of all the Contract Documents and of the following Addenda (if issued)<br><input style="width: 100%;" type="text" value="Acknowledged"/>   |              |         |
| 2<br>0 | <b>Addendum No. 2</b><br>Bidder has examined copies of all the Contract Documents and of the following Addenda (if issued)<br><input style="width: 100%;" type="text" value="No response"/>  |              |         |
| 2<br>1 | <b>Addendum No. 3</b><br>Bidder has examined copies of all the Contract Documents and of the following Addenda (if issued)<br><input style="width: 100%;" type="text" value="No response"/>  |              |         |
| 2<br>2 | <b>Addendum No. 4</b><br>Bidder has examined copies of all the Contract Documents and of the following Addenda (if issued)<br><input style="width: 100%;" type="text" value="No response"/>  |              |         |
| 2<br>3 | <b>Addendum No. 5</b><br>Bidder has examined copies of all the Contract Documents and of the following Addenda (if issued)<br><input style="width: 100%;" type="text" value="No response"/>  |              |         |
| 2<br>4 | <b>Subcontractor 1 - Name</b><br>Each Bidder shall include a list of proposed subcontractors, the type of work to be completed by each such subcontractor and the approximate percentage of contract labor to be completed by each subcontractor. If complete listing of subcontracts totals more than five, please attach such additional pages as may be required. Owner reserves the right to accept or reject any subcontracts and/or amount subcontracted that it deems to be objectionable.<br><input style="width: 100%;" type="text" value="Road Master Striping, LLC"/> |              |         |
| 2<br>5 | <b>Subcontractor 1 - Type of Work</b><br><input style="width: 100%;" type="text" value="pavement markings"/>   |              |         |
| 2<br>6 | <b>Subcontractor 1 - % of Work</b><br><input style="width: 100%;" type="text" value="2%"/>   |              |         |
| 2<br>7 | <b>Subcontractor 2 - Name</b><br><input style="width: 100%;" type="text" value="No response"/>   |              |         |
| 2<br>8 | <b>Subcontractor 2 - Type of Work</b><br><input style="width: 100%;" type="text" value="No response"/>   |              |         |
| 2<br>9 | <b>Subcontractor 2 - % of Work</b><br><input style="width: 100%;" type="text" value="No response"/>  |              |         |

|        |  |              |         |
|--------|--|--------------|---------|
| 3<br>0 | <b>Subcontractor 3 - Name</b>            | Attachment 3 | Item 4. |
|        | <input type="text" value="No response"/> |              |         |

|        |  |
|--------|--|
| 3<br>1 | <b>Subcontractor 3 - Type of Work</b>    |
|        | <input type="text" value="No response"/> |

|        |  |
|--------|--|
| 3<br>2 | <b>Subcontractor 3 - % of Work</b>       |
|        | <input type="text" value="No response"/> |

|        |  |
|--------|--|
| 3<br>3 | <b>Subcontractor 4 - Name</b>            |
|        | <input type="text" value="No response"/> |

|        |  |
|--------|--|
| 3<br>4 | <b>Subcontractor 4 - Type of Work</b>    |
|        | <input type="text" value="No response"/> |

|        |  |
|--------|--|
| 3<br>5 | <b>Subcontractor 4 - % of Work</b>       |
|        | <input type="text" value="No response"/> |

|        |  |
|--------|--|
| 3<br>6 | <b>Subcontractor 5 - Name</b>            |
|        | <input type="text" value="No response"/> |

|        |  |
|--------|--|
| 3<br>7 | <b>Subcontractor 5 - Type of Work</b>    |
|        | <input type="text" value="No response"/> |

|        |  |
|--------|--|
| 3<br>8 | <b>Subcontractor 5 - % of Work</b>       |
|        | <input type="text" value="No response"/> |

|        |  |
|--------|--|
| 3<br>9 | <b>Supplier 1 - Name</b>   |
|        | Each Bidder shall include a list of proposed suppliers of major materials and equipment to be furnished and installed in connection with this Bid. If complete listing of suppliers totals more than five, please attach such additional pages as may be required. |
|        | <input type="text" value="Paradigm Traffic Systems, Inc."/>  |

|        |   |
|--------|---|
| 4<br>0 | <b>Supplier 1 - Type of Material/Equipment</b>        |
|        | <input type="text" value="traffic signal equipment"/> |

|        |   |
|--------|---|
| 4<br>1 | <b>Supplier 2 - Name</b>                            |
|        | <input type="text" value="Electrol Systems, Inc."/> |

|        |   |
|--------|---|
| 4<br>2 | <b>Supplier 2 - Type of Material/Equipment</b>  |
|        | <input type="text" value="electrical service"/> |

|        |  |
|--------|--|
| 4<br>3 | <b>Supplier 3 - Name</b>   |
|        | <input type="text" value="Consolidated Traffic Controls, Inc."/> |

|        |  |
|--------|--|
| 4<br>4 | <b>Supplier 3 - Type of Material/Equipment</b>           |
|        | <input type="text" value="traffic detection equipment"/> |



|        |                          |              |         |
|--------|--------------------------|--------------|---------|
| 4<br>5 | <b>Supplier 4 - Name</b> | Attachment 3 | Item 4. |
|        | No response              |              |         |

|        |  |
|--------|--|
| 4<br>6 | <b>Supplier 4 - Type of Material/Equipment</b> |
|        | No response                                    |

|        |                          |
|--------|--------------------------|
| 4<br>7 | <b>Supplier 5 - Name</b> |
|        | No response              |

|        |  |
|--------|--|
| 4<br>8 | <b>Supplier 5 - Type of Material/Equipment</b> |
|        | No response                                    |

|        |   |
|--------|---|
| 4<br>9 | <b>Project Timeline: Substantial Completion</b>                                     |
|        | Provide number of calendar days to reach substantial completion of all construction |
|        | 80  |

|        |   |
|--------|---|
| 5<br>0 | <b>Project Timeline: Final Completion</b>   |
|        | Provide number of additional calendar days after substantial completion to reach final completion of all construction |
|        | 20  |

## Bid Lines

|   |   |  |  |
|---|---|--|--|
| 1 | <b>Package Header</b>   |  |  |
|   | Section 1: Base Bid Traffic Signal Construction at Coit Road/Richland Blvd  |  |  |
|   | Quantity: <u>  1  </u>  | Total:   | \$240,386.00   |
|   | <b>Package Items</b>  |  |  |
|   | 1.1 Removing Concrete (Sidewalk or Ramp) TXDOT NO: 104 6036                 |  |  |
|   | Quantity: <u>  49  </u> UOM: <u>  SY  </u>                                  | Unit Price: <span style="border: 1px solid black; padding: 2px;">\$15.00</span>    | Total: <span style="border: 1px solid black; padding: 2px;">\$735.00</span>    |
|   | 1.2 Drill Shaft (Traffic Signal Pole) (24-Inch Diameter) TXDOT NO: 416 6030 |  |  |
|   | Quantity: <u>  48  </u> UOM: <u>  LF  </u>                                  | Unit Price: <span style="border: 1px solid black; padding: 2px;">\$275.00</span>   | Total: <span style="border: 1px solid black; padding: 2px;">\$13,200.00</span> |
|   | 1.3 Drill Shaft (Traffic Signal Pole) (36-Inch Diameter) TXDOT NO: 416 6032 |  |  |
|   | Quantity: <u>  28  </u> UOM: <u>  LF  </u>                                  | Unit Price: <span style="border: 1px solid black; padding: 2px;">\$385.00</span>   | Total: <span style="border: 1px solid black; padding: 2px;">\$10,780.00</span> |
|   | 1.4 Drill Shaft (Traffic Signal Pole) (48-Inch Diameter) TXDOT NO: 416 6034 |  |  |
|   | Quantity: <u>  44  </u> UOM: <u>  LF  </u>                                  | Unit Price: <span style="border: 1px solid black; padding: 2px;">\$445.00</span>   | Total: <span style="border: 1px solid black; padding: 2px;">\$19,580.00</span> |
|   | 1.5 Concrete Sidewalk (6") TXDOT NO: 531 6003                               |  |  |
|   | Quantity: <u>  65  </u> UOM: <u>  SY  </u>                                  | Unit Price: <span style="border: 1px solid black; padding: 2px;">\$110.00</span>   | Total: <span style="border: 1px solid black; padding: 2px;">\$7,150.00</span>  |
|   | 1.6 Curb Ramps (TY 5) TXDOT NO: 531 6008                                    |  |  |
|   | Quantity: <u>  3  </u> UOM: <u>  EA  </u>                                   | Unit Price: <span style="border: 1px solid black; padding: 2px;">\$4,000.00</span> | Total: <span style="border: 1px solid black; padding: 2px;">\$12,000.00</span> |
|   | 1.7 Conduit (PVC) (Schd 40) (2-Inch) TXDOT NO: 618 6023                     |  |  |
|   | Quantity: <u> 130  </u> UOM: <u>  LF  </u>                                  | Unit Price: <span style="border: 1px solid black; padding: 2px;">\$15.00</span>    | Total: <span style="border: 1px solid black; padding: 2px;">\$1,950.00</span>  |
|   | 1.8 Conduit (PVC) (Schd 40) (3-Inch) TXDOT NO: 618 6029                     |  |  |
|   | Quantity: <u> 200  </u> UOM: <u>  LF  </u>                                  | Unit Price: <span style="border: 1px solid black; padding: 2px;">\$16.00</span>    | Total: <span style="border: 1px solid black; padding: 2px;">\$3,200.00</span>  |

|             |  |        | Attachment 3                             | Item 4. |
|-------------|--|--------|--|---------|
| <b>1.9</b>  | Conduit (PVC) (Schd 40) (4-Inch) TXDOT NO: 618 6033                                    |        |  |         |
|             | Quantity: <u>55</u> UOM: <u>LF</u> Unit Price: <input type="text" value="\$17.00"/>    | Total: | <input type="text" value="\$935.00"/>    |         |
| <b>1.10</b> | Elec. Conductor (No. 8) Insulated TXDOT NO: 620 6008                                   |        |  |         |
|             | Quantity: <u>3240</u> UOM: <u>LF</u> Unit Price: <input type="text" value="\$1.00"/>   | Total: | <input type="text" value="\$3,240.00"/>  |         |
| <b>1.11</b> | Elec. Conductor (No. 6) Bare TXDOT NO: 620 6009  |        |  |         |
|             | Quantity: <u>1495</u> UOM: <u>LF</u> Unit Price: <input type="text" value="\$2.00"/>   | Total: | <input type="text" value="\$2,990.00"/>  |         |
| <b>1.12</b> | Elec. Conductor (No. 6) Insulated TXDOT NO: 620 6010                                   |        |  |         |
|             | Quantity: <u>55</u> UOM: <u>LF</u> Unit Price: <input type="text" value="\$2.00"/>     | Total: | <input type="text" value="\$110.00"/>    |         |
| <b>1.13</b> | Ground Box Type C (16x29x11) with Apron TXDOT NO: 624 6008                             |        |  |         |
|             | Quantity: <u>1</u> UOM: <u>EA</u> Unit Price: <input type="text" value="\$1,440.00"/>  | Total: | <input type="text" value="\$1,440.00"/>  |         |
| <b>1.14</b> | Ground Box Type D (16x29x22) with Apron TXDOT NO: 624 6010                             |        |  |         |
|             | Quantity: <u>1</u> UOM: <u>EA</u> Unit Price: <input type="text" value="\$1,460.00"/>  | Total: | <input type="text" value="\$1,460.00"/>  |         |
| <b>1.15</b> | Electrical Service Type D 120/240 070 (NS) AL (E) PS (U) TXDOT NO: 628 6164            |        |  |         |
|             | Quantity: <u>1</u> UOM: <u>EA</u> Unit Price: <input type="text" value="\$7,000.00"/>  | Total: | <input type="text" value="\$7,000.00"/>  |         |
| <b>1.16</b> | Reflective Pavement Marking TY I (W)24"(SLD)(100MIL) TXDOT NO: 666 6048                |        |  |         |
|             | Quantity: <u>496</u> UOM: <u>LF</u> Unit Price: <input type="text" value="\$7.00"/>    | Total: | <input type="text" value="\$3,472.00"/>  |         |
| <b>1.17</b> | Pavement Sealer 24" TXDOT NO: 666 6230   |        |  |         |
|             | Quantity: <u>496</u> UOM: <u>LF</u> Unit Price: <input type="text" value="\$3.00"/>    | Total: | <input type="text" value="\$1,488.00"/>  |         |
| <b>1.18</b> | Eliminate Existing Pavement Markings (12") TXDOT NO: 677 6005                          |        |  |         |
|             | Quantity: <u>795</u> UOM: <u>LF</u> Unit Price: <input type="text" value="\$2.00"/>    | Total: | <input type="text" value="\$1,590.00"/>  |         |
| <b>1.19</b> | Pavement Preperation For Markings (24") TXDOT NO: 678 6008                             |        |  |         |
|             | Quantity: <u>496</u> UOM: <u>LF</u> Unit Price: <input type="text" value="\$1.00"/>    | Total: | <input type="text" value="\$496.00"/>    |         |
| <b>1.20</b> | Installing Highway Traffic Signal (Isolated) TXDOT NO: 680 6002                        |        |  |         |
|             | Quantity: <u>1</u> UOM: <u>EA</u> Unit Price: <input type="text" value="\$23,000.00"/> | Total: | <input type="text" value="\$23,000.00"/> |         |
| <b>1.21</b> | Vehicle Signal Section (12-inch) LED (Green) TXDOT NO: 682 6001                        |        |  |         |
|             | Quantity: <u>11</u> UOM: <u>EA</u> Unit Price: <input type="text" value="\$375.00"/>   | Total: | <input type="text" value="\$4,125.00"/>  |         |
| <b>1.22</b> | Vehicle Signal Section (12-inch) LED (Green Arrow) TXDOT NO: 682 6002                  |        |  |         |
|             | Quantity: <u>7</u> UOM: <u>EA</u> Unit Price: <input type="text" value="\$375.00"/>    | Total: | <input type="text" value="\$2,625.00"/>  |         |
| <b>1.23</b> | Vehicle Signal Section (12-inch) LED (Yellow) TXDOT NO: 682 6003                       |        |  |         |
|             | Quantity: <u>11</u> UOM: <u>EA</u> Unit Price: <input type="text" value="\$375.00"/>   | Total: | <input type="text" value="\$4,125.00"/>  |         |
| <b>1.24</b> | Vehicle Signal Section (12-inch) LED (Yellow Arrow) TXDOT NO: 682 6004                 |        |  |         |
|             | Quantity: <u>11</u> UOM: <u>EA</u> Unit Price: <input type="text" value="\$375.00"/>   | Total: | <input type="text" value="\$4,125.00"/>  |         |
| <b>1.25</b> | Vehicle Signal Section (12-inch) LED (Red) TXDOT NO: 682 6005                          |        |  |         |
|             | Quantity: <u>11</u> UOM: <u>EA</u> Unit Price: <input type="text" value="\$375.00"/>   | Total: | <input type="text" value="\$4,125.00"/>  |         |
| <b>1.26</b> | Vehicle Signal Section (12-inch) LED (Red Arrow) TXDOT NO: 682 6006                    |        |  |         |
|             | Quantity: <u>8</u> UOM: <u>EA</u> Unit Price: <input type="text" value="\$375.00"/>    | Total: | <input type="text" value="\$3,000.00"/>  |         |
| <b>1.27</b> | Pedestrian Signal Section (12-inch) LED (Countdown) TXDOT NO: 682 6018                 |        |  |         |
|             | Quantity: <u>8</u> UOM: <u>EA</u> Unit Price: <input type="text" value="\$900.00"/>    | Total: | <input type="text" value="\$7,200.00"/>  |         |

|             |  |             |  |        |  |         |
|-------------|--|-------------|--|--------|--|---------|
| <b>1.28</b> | Back Plate (12-inch) (3 Section) TXDOT NO: 682 6023  |             |  |        | Attachment 3                             | Item 4. |
|             | Quantity: <u>8</u> UOM: <u>EA</u>  | Unit Price: | <input type="text" value="\$150.00"/>    | Total: | <input type="text" value="\$1,200.00"/>  |         |
| <b>1.29</b> | Back Plate (12-inch) (5 Section) TXDOT NO: 682 6025  |             |  |        |  |         |
|             | Quantity: <u>7</u> UOM: <u>EA</u>  | Unit Price: | <input type="text" value="\$175.00"/>    | Total: | <input type="text" value="\$1,225.00"/>  |         |
| <b>1.30</b> | Traffic Signal Cable (Type A) (14 AWG) (5 Conductor) TXDOT NO: 684 6031                    |             |  |        |  |         |
|             | Quantity: <u>430</u> UOM: <u>LF</u>  | Unit Price: | <input type="text" value="\$2.00"/>      | Total: | <input type="text" value="\$860.00"/>    |         |
| <b>1.31</b> | Traffic Signal Cable (Type A) (14 AWG) (7 Conductor) TXDOT NO: 684 6033                    |             |  |        |  |         |
|             | Quantity: <u>300</u> UOM: <u>LF</u>  | Unit Price: | <input type="text" value="\$2.00"/>      | Total: | <input type="text" value="\$600.00"/>    |         |
| <b>1.32</b> | Traffic Signal Cable (Type A) (14 AWG) (10 Conductor) TXDOT NO: 684 6036                   |             |  |        |  |         |
|             | Quantity: <u>1460</u> UOM: <u>LF</u>   | Unit Price: | <input type="text" value="\$3.00"/>      | Total: | <input type="text" value="\$4,380.00"/>  |         |
| <b>1.33</b> | Traffic Signal Cable (Type A) (14 AWG) (20 Conductor) TXDOT NO: 684 6046                   |             |  |        |  |         |
|             | Quantity: <u>800</u> UOM: <u>LF</u>  | Unit Price: | <input type="text" value="\$4.00"/>      | Total: | <input type="text" value="\$3,200.00"/>  |         |
| <b>1.34</b> | Traffic Signal Cable (Type C) (12 AWG) (2 Conductor) TXDOT NO: 684 6079                    |             |  |        |  |         |
|             | Quantity: <u>1600</u> UOM: <u>LF</u>   | Unit Price: | <input type="text" value="\$2.00"/>      | Total: | <input type="text" value="\$3,200.00"/>  |         |
| <b>1.35</b> | Installing Traffic Signal Pole and Mast Arm (44-ft) Luminaire and ILSN. TXDOT NO: 686 6048 |             |  |        |  |         |
|             | Quantity: <u>2</u> UOM: <u>EA</u>  | Unit Price: | <input type="text" value="\$2,350.00"/>  | Total: | <input type="text" value="\$4,700.00"/>  |         |
| <b>1.36</b> | Installing Traffic Signal Pole and Mast Arm (60-ft) Luminaire and ILSN. TXDOT NO: 686 6064 |             |  |        |  |         |
|             | Quantity: <u>2</u> UOM: <u>EA</u>  | Unit Price: | <input type="text" value="\$3,150.00"/>  | Total: | <input type="text" value="\$6,300.00"/>  |         |
| <b>1.37</b> | Installing Pedestal Pole Assembly TXDOT NO: 687 6001                                       |             |  |        |  |         |
|             | Quantity: <u>8</u> UOM: <u>EA</u>  | Unit Price: | <input type="text" value="\$1,300.00"/>  | Total: | <input type="text" value="\$10,400.00"/> |         |
| <b>1.38</b> | Installing Pedestrian Detection Push Button (APS) TXDOT NO: 688 6001                       |             |  |        |  |         |
|             | Quantity: <u>8</u> UOM: <u>EA</u>  | Unit Price: | <input type="text" value="\$190.00"/>    | Total: | <input type="text" value="\$1,520.00"/>  |         |
| <b>1.39</b> | Installing Pedestrian Detection Push Button (APS) TXDOT NO: 688 6001                       |             |  |        |  |         |
|             | Quantity: <u>8</u> UOM: <u>EA</u>  | Unit Price: | <input type="text" value="\$190.00"/>    | Total: | <input type="text" value="\$1,520.00"/>  |         |
| <b>1.40</b> | Radar Presence Detector TXDOT NO: 6025 6001  |             |  |        |  |         |
|             | Quantity: <u>4</u> UOM: <u>EA</u>  | Unit Price: | <input type="text" value="\$9,000.00"/>  | Total: | <input type="text" value="\$36,000.00"/> |         |
| <b>1.41</b> | Radar Presence Detector Comm Cable TXDOT NO: 6025 6002                                     |             |  |        |  |         |
|             | Quantity: <u>880</u> UOM: <u>LF</u>  | Unit Price: | <input type="text" value="\$3.00"/>      | Total: | <input type="text" value="\$2,640.00"/>  |         |
| <b>1.42</b> | Installing BBU System (Internal to Cabinet) TXDOT NO: 6058 6001                            |             |  |        |  |         |
|             | Quantity: <u>1</u> UOM: <u>EA</u>  | Unit Price: | <input type="text" value="\$1,000.00"/>  | Total: | <input type="text" value="\$1,000.00"/>  |         |
| <b>1.43</b> | Mobilization   |             |  |        |  |         |
|             | Quantity: <u>1</u> UOM: <u>EA</u>  | Unit Price: | <input type="text" value="\$10,000.00"/> | Total: | <input type="text" value="\$10,000.00"/> |         |
| <b>1.44</b> | Traffic Control and Regulation   |             |  |        |  |         |
|             | Quantity: <u>1</u> UOM: <u>EA</u>  | Unit Price: | <input type="text" value="\$6,500.00"/>  | Total: | <input type="text" value="\$6,500.00"/>  |         |

**2 Package Header**

Section 2: Base Bid Traffic Signal Construction at Fishtrap Road/Gee Road

Quantity: 1 UOM: LS Total:

1. Price

\$0.00

Package Items

2.1 Removing Conc (Curb or Curb & Gutter)

Quantity: 20 UOM: LF Unit Price: \$20.00 Total: \$400.00

2.2 Drill Shaft (Trf Sig Pole) (36 in)

Quantity: 70 UOM: LF Unit Price: \$385.00 Total: \$26,950.00

2.3 Conc Sidewalk (4 in)

Quantity: 22 UOM: SY Unit Price: \$120.00 Total: \$2,640.00

2.4 Curb Ramps (TY 3)

Quantity: 1 UOM: EA Unit Price: \$2,800.00 Total: \$2,800.00

2.5 Curb Ramps (TY 7)

Quantity: 1 UOM: EA Unit Price: \$2,800.00 Total: \$2,800.00

2.6 Curb Ramps (TY 22)

Quantity: 3 UOM: EA Unit Price: \$2,800.00 Total: \$8,400.00

2.7 Condt (PVC) (SCH 40) (2 in)

Quantity: 205 UOM: LF Unit Price: \$15.00 Total: \$3,075.00

2.8 Condt (PVC) (SCH 40) (3 in)

Quantity: 15 UOM: LF Unit Price: \$16.00 Total: \$240.00

2.9 Elec Condr (No. 8) Insulated

Quantity: 896 UOM: LF Unit Price: \$1.00 Total: \$896.00

2.10 Elec Condr (No. 6) Bare

Quantity: 121 UOM: LF Unit Price: \$2.00 Total: \$242.00

2.11 Elec Condr (No. 6) Insulated

Quantity: 242 UOM: LF Unit Price: \$2.00 Total: \$484.00

2.12 Ground Box TY C (162911) w/Apron

Quantity: 1 UOM: EA Unit Price: \$1,440.00 Total: \$1,440.00

2.13 Zinc-Coat Stl Wire Strand (3/16 in)

Quantity: 329 UOM: LF Unit Price: \$3.00 Total: \$987.00

2.14 Zinc-Coat Stl Wire Strand (5/16 in)

Quantity: 1118 UOM: LF Unit Price: \$3.00 Total: \$3,354.00

2.15 Elec Srv TY D 120/240 070(NS)AL(E)GC(O)

Quantity: 1 UOM: EA Unit Price: \$8,000.00 Total: \$8,000.00

2.16 Remove Sm Rd Sn Sup&Am

Quantity: 1 UOM: EA Unit Price: \$150.00 Total: \$150.00

2.17 Refl Pav Mrk TY I (W) 24 in (SLD) (100 MIL)

Quantity: 153 UOM: LF Unit Price: \$7.00 Total: \$1,071.00

|             |  | Attachment 3                         |  | Item 4.   |
|-------------|--|--------------------------------------|--|---|
| <b>2.18</b> | Refl Pav Mrk TY II (W) 24 in (SLD)           | Quantity: <u>153</u> UOM: <u>LF</u>  | Unit Price: <input type="text" value="\$3.00"/>      | Total: <input type="text" value="\$459.00"/>    |
| <b>2.19</b> | Refl Pav Mark TY 11 (Y) 4 in (SLD)           | Quantity: <u>35</u> UOM: <u>LF</u>   | Unit Price: <input type="text" value="\$1.00"/>      | Total: <input type="text" value="\$35.00"/>     |
| <b>2.20</b> | RE PM w/Ret Req TY I (Y) 4 in (SLD) (100MIL) | Quantity: <u>35</u> UOM: <u>LF</u>   | Unit Price: <input type="text" value="\$1.00"/>      | Total: <input type="text" value="\$35.00"/>     |
| <b>2.21</b> | Elim Ext Pav Mrk & Mrks (4 in)               | Quantity: <u>151</u> UOM: <u>LF</u>  | Unit Price: <input type="text" value="\$1.00"/>      | Total: <input type="text" value="\$151.00"/>    |
| <b>2.22</b> | Elim Ext Pav Mrk & Mrks (24 in)              | Quantity: <u>21</u> UOM: <u>LF</u>   | Unit Price: <input type="text" value="\$3.00"/>      | Total: <input type="text" value="\$63.00"/>     |
| <b>2.23</b> | Elim Ext Pav Mrk & Mrks (Arrow)              | Quantity: <u>1</u> UOM: <u>EA</u>    | Unit Price: <input type="text" value="\$65.00"/>     | Total: <input type="text" value="\$65.00"/>     |
| <b>2.24</b> | Install Hwy Trf Sig (Isolated)               | Quantity: <u>1</u> UOM: <u>EA</u>    | Unit Price: <input type="text" value="\$16,000.00"/> | Total: <input type="text" value="\$16,000.00"/> |
| <b>2.25</b> | Veh Sig Sec (12 in) LED (Grn)                | Quantity: <u>6</u> UOM: <u>EA</u>    | Unit Price: <input type="text" value="\$425.00"/>    | Total: <input type="text" value="\$2,550.00"/>  |
| <b>2.26</b> | Veh Sig Sec (12 in) LED (Grn Arw)            | Quantity: <u>4</u> UOM: <u>EA</u>    | Unit Price: <input type="text" value="\$425.00"/>    | Total: <input type="text" value="\$1,700.00"/>  |
| <b>2.27</b> | Veh Sig Sec (12 in) LED (Yel)                | Quantity: <u>6</u> UOM: <u>EA</u>    | Unit Price: <input type="text" value="\$425.00"/>    | Total: <input type="text" value="\$2,550.00"/>  |
| <b>2.28</b> | Veh Sig Sec (12 in) LED (Yel Arw)            | Quantity: <u>5</u> UOM: <u>EA</u>    | Unit Price: <input type="text" value="\$425.00"/>    | Total: <input type="text" value="\$2,125.00"/>  |
| <b>2.29</b> | Veh Sig Sec (12 in) LED (Red)                | Quantity: <u>9</u> UOM: <u>EA</u>    | Unit Price: <input type="text" value="\$425.00"/>    | Total: <input type="text" value="\$3,825.00"/>  |
| <b>2.30</b> | Veh Sig Sec (12 in) LED (Red Arw)            | Quantity: <u>2</u> UOM: <u>EA</u>    | Unit Price: <input type="text" value="\$425.00"/>    | Total: <input type="text" value="\$850.00"/>    |
| <b>2.31</b> | Ped Sig Sec (LED) (Countdown)                | Quantity: <u>4</u> UOM: <u>EA</u>    | Unit Price: <input type="text" value="\$900.00"/>    | Total: <input type="text" value="\$3,600.00"/>  |
| <b>2.32</b> | Back Plate (12 in) (3 Sec) (Vented) Alum     | Quantity: <u>9</u> UOM: <u>EA</u>    | Unit Price: <input type="text" value="\$150.00"/>    | Total: <input type="text" value="\$1,350.00"/>  |
| <b>2.33</b> | Back Plate (12 in) (5 Sec) (Vented) Alum     | Quantity: <u>1</u> UOM: <u>EA</u>    | Unit Price: <input type="text" value="\$175.00"/>    | Total: <input type="text" value="\$175.00"/>    |
| <b>2.34</b> | Trf Sig Cbl (TY A) (14 AWG) (10 CONDR)       | Quantity: <u>625</u> UOM: <u>LF</u>  | Unit Price: <input type="text" value="\$3.00"/>      | Total: <input type="text" value="\$1,875.00"/>  |
| <b>2.35</b> | Trf Sig Cbl (TY A) (14 AWG) (16 CONDR)       | Quantity: <u>598</u> UOM: <u>LF</u>  | Unit Price: <input type="text" value="\$4.00"/>      | Total: <input type="text" value="\$2,392.00"/>  |
| <b>2.36</b> | Trf Sig Cbl (TY C) (12 AWG) (2 CONDR)        | Quantity: <u>1127</u> UOM: <u>LF</u> | Unit Price: <input type="text" value="\$1.00"/>      | Total: <input type="text" value="\$1,127.00"/>  |

**2.37** Ins Trf Sig PI AM (S) STR (TY B)Quantity:   2   UOM:  EA Unit Price: Total: 

Attachment 3

Item 4.

**2.38** Ins Trf Sig PI AM (S) STR (TY B) LUMQuantity:   3   UOM:  EA Unit Price: Total: **2.39** Pedestal Pole Assembly (10 ft)Quantity:   1   UOM:  EA Unit Price: Total: **2.40** Ped Detect Push Button (APS)Quantity:   4   UOM:  EA Unit Price: Total: **2.41** Radar Presence DetectorQuantity:   3   UOM:  EA Unit Price: Total: **2.42** Radar Presence Detector Comm CableQuantity: 859 UOM:  LF Unit Price: Total: **2.43** Spread Spectrum RadioQuantity:   1   UOM:  EA Unit Price: Total: **2.44** Coaxial CableQuantity:  30  UOM:  LF Unit Price: Total: **2.45** Radar Advanced Detection DeviceQuantity:   3   UOM:  EA Unit Price: Total: **2.46** Radar Advanced Detector Comm CableQuantity: 676 UOM:  LF Unit Price: Total: **2.47** BBU System (External Batt Cabinet)Quantity:   1   UOM:  EA Unit Price: Total: **2.48** Install Opticom Detector w/Phase SelectorQuantity:   3   UOM:  EA Unit Price: Total: **2.49** Install Opticom Detector CableQuantity: 443 UOM:  LF Unit Price: Total: **2.50** Additional Radar Advanced Detection Device (Add Alternate)Quantity:   3   UOM:  EA Unit Price: Total: **2.51** Additional Radar Advanced Detector Comm Cable (Add Alternate)Quantity: 676 UOM:  LF Unit Price: Total: **Response Total: \$398,000.00**

**BID BOND**

STATE OF TEXAS        )  
  )  
COUNTY OF COLLIN    )

**KNOW ALL MEN BY THESE PRESENTS**, that we, the undersigned, Durable Specialties, Inc., whose address is 2302 Paddock Way Drive, Grand Prairie, TX 75050, hereinafter called Principal, and Great American Insurance Company of New York, a corporation organized and existing under the laws of the State of New York, and fully licensed to transact business in the State of Texas, as Surety, are held and firmly bound unto the Town of Prosper, a home-rule municipal corporation organized and existing under the laws of the State of Texas, hereinafter referred to as "Owner," in the penal sum of \$ 5% Five Percent of the Greatest Amount Bid as the proper measure of liquidated damages arising out of or connected with the submission of a Bid Proposal for the construction of a public work project, in lawful money of the United States, to be paid in Collin County, Texas, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors jointly and severally, firmly by these presents. The condition of the above obligation is such that whereas the Principal has submitted to Owner a certain Bid Proposal, attached hereto and hereby made a part hereof, to enter into a contract in writing, for the construction of:

**CSP NO. 2021-08-B**  
**TRAFFIC SIGNAL CONSTRUCTION AT FISHTRAP ROAD/GEE ROAD AND COIT ROAD/RICHLAND BLVD.**

**NOW, THEREFORE**, if the Principal's Proposal shall be rejected or, in the alternative, if the Principal's Proposal shall be accepted and the Principal shall execute and deliver a contract in the form of the Contract attached hereto (properly completed in accordance with said Proposal) and shall furnish performance, payment and maintenance bonds required by the Contract Documents for the Project and provide proof of all required insurance coverages for the Project and shall in all other respects perform the agreement created by the acceptance of said Proposal, then this obligation shall be void, otherwise the same shall remain in force and affect; it being expressly understood and agreed that the liability of the Surety for any breach of condition hereunder shall be in the face amount of this bond and forfeited as a proper measure of liquidated damages.


**PROVIDED FURTHER**, that if any legal action were filed on this Bond, exclusive Venue shall lie in Collin County, Texas.

**AND PROVIDED FURTHER**, the Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no way impaired or affected by an extension of the time within which the Owner may accept such Proposal; and said Surety does hereby waive notice of any such extension.

The undersigned and designated agent is hereby designated by the Surety herein as the Resident Agent in Collin County or Dallas County to whom any requisite notices may be delivered and on whom service of process may be had in matters arising out of such suretyship, as provided by Article 7.19-1 of the Insurance Code, Vernon's Annotated Civil Statutes of the State of Texas.

**IN WITNESS WHEREOF**, this instrument is executed and shall be deemed an original, this, the 8th day of October, 2020.

## ATTEST:

By:   
 Signature  
 Mark Archibald

Typed/Printed Name  
 Contracts Manager

Title  
 2302 Paddock Way Drive

Address  
 Grand Prairie, TX 75050

City State Zip  
 972-880-2286

Phone Fax

## PRINCIPAL:

Durable Specialties, Inc.

Company Name

By:   
 Signature  
 Patrick Bryan

Typed/Printed Name  
 President

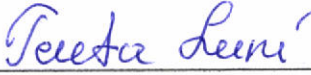
Title  
 2302 Paddock Way Drive

Address  
 Grand Prairie, TX 75050

City State Zip  
 972-880-2286

Phone Fax

## ATTEST:

By:   
 Signature  
 Teuta Luri

Printed Name  
 Attestor


Title  
 500 N Akard St., #4300

Address  
 Dallas TX 75201

City State Zip  
 972-715-2173

Phone Fax

## SURETY:

By:   
 Signature  
 Steven R. Foster

Printed Name  
 Attorney in Fact

Title  
 301 East Fourth Street

Address  
 Cincinnati, OH 45202

City State Zip  
 513-369-5000

Phone Fax

The Resident Agent of the Surety in Collin County or Dallas County, Texas, for delivery of notice and service of the process is:

NAME: Teuta Luri / Willis Towers Watson

STREET ADDRESS: 500 N Akard St., #4300

CITY, STATE, ZIP: Dallas, TX 75201

**NOTE:** If Resident Agent is not a corporation, give a person's name.



**GREAT AMERICAN INSURANCE COMPANY OF NEW YORK**  
New York

Administrative Office: 301 E 4TH STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by  
this power of attorney is not more than SIX

No. 0 21394

**POWER OF ATTORNEY**

**KNOW ALL MEN BY THESE PRESENTS:** That the GREAT AMERICAN INSURANCE COMPANY OF NEW YORK, a corporation organized and existing under and by virtue of the laws of the State of New York, does hereby nominate, constitute and appoint the person or persons named below its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

| Name                | Address        | Limit of Power |
|---------------------|----------------|----------------|
| JACK M. CROWLEY     | DALLAS, TEXAS  | ALL            |
| STEVEN R. FOSTER    | DALLAS, TEXAS  | \$100,000,000  |
| TEUTA LURI          | DALLAS, TEXAS  |                |
| LAURIE PFLUG        | DALLAS, TEXAS  |                |
| CARLOS ALBELO       | HOUSTON, TEXAS |                |
| STEPHANIE GUNDERSON | HOUSTON, TEXAS |                |

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF, the GREAT AMERICAN INSURANCE COMPANY OF NEW YORK has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 24TH day of JUNE, 2020.

Attest

GREAT AMERICAN INSURANCE COMPANY OF NEW YORK



*Stephen C. Beraha*  
Assistant Secretary

*Mark V. Vicario*  
Divisional Senior Vice President

MARK VICARIO (877-377-2405)

STATE OF OHIO, COUNTY OF HAMILTON-ss:

On this 24TH day of JUNE, 2020, before me personally appeared MARK VICARIO, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company of New York, the Company described in and which executed the above instrument; that he knows the seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



SUSAN A KOHORST  
Notary Public  
State of Ohio  
My Comm. Expires  
May 18, 2025

*Susan A. Kohorst*

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company of New York by unanimous written consent dated May 14, 2009.

*RESOLVED:* That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

*RESOLVED FURTHER:* That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

**CERTIFICATION**

I, STEPHEN C. BERAHA, Assistant Secretary of Great American Insurance Company of New York, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of May 14, 2009 have not been revoked and are now in full force and effect.

Signed and sealed this 8th day of October, 2020.



*Stephen C. Beraha*  
Assistant Secretary



## ENGINEERING SERVICES

**To:** Mayor and Town Council

**From:** Hulon Webb, Jr., Director of Engineering Services

**Through:** Harlan Jefferson, Town Manager  
Rebecca Zook, Executive Director of Development and Infrastructure Services

**Re:** Town Council Meeting - October 27, 2020

**Agenda Item:**

Consider and act upon awarding CSP No. 2021-04-B to American Landscaping Systems, related to construction services for the West Prosper Road, Segment A Gee Road Landscape Architecture project; and authorizing the Town Manager to execute a construction agreement for same.

**Description of Agenda Item:**

On October 8, 2020, at 2:00 PM, three (3) Competitive Sealed Proposals (CSP) were received for the West Prosper Road, Segment A Gee Road Landscape Architecture project. The project was advertised using the Competitive Sealed Proposal Construction alternative procurement method to allow the Town to award the project to the contractor that offers the best value proposal based on the following criteria:

- Qualifications and Experience (30%)
  - Outline contractor and subcontractor experience with similar projects.
  - Outline qualifications of key personnel assigned to this project.
  - Provide references.
- Project Timeline (20%)
- Cost Proposal (50%)

The verified cost proposal ranged between \$183,604.70 and \$234,637.70. The Landscape Architect's estimate was \$134,000. The proposed final completion times ranged from 70 calendar days to 140 calendar days. American Landscaping Systems was the firm that ranked the highest after consideration of Costs, Time, and Qualifications with a cost of \$183,604.70, and project timeline of 70 calendar days.

American Landscaping Systems has not done any work for the Town of Prosper, but recently successfully completed several projects of similar scope and value for the cities of Allen, Arlington, and Frisco. While working for another municipality, staff had good experiences working with the contractor. Staff checked the references provided and received positive feedback.

**Budget Impact:**

The cost for the construction of the West Prosper Road, Segment A Gee Road Landscape Architecture project is \$183,604.70. \$225,000 was allocated from the West Prosper Road Improvements project. The funding source is Account No. 750-6610-10-00-1507-ST.

**Legal Obligations and Review:**

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the standard construction agreement as to form and legality.

**Attached Documents:**

1. Location Map
2. Evaluation Matrix
3. Construction Agreement

**Town Staff Recommendation:**

Town staff recommends that the Town Council Award CSP No. 2021-04-B to American Landscaping Systems, related to construction services for the West Prosper Road, Segment A Gee Road Landscape Architecture project; and authorize the Town Manager to execute a construction agreement for same.

**Proposed Motion:**

I move to award CSP No. 2021-04-B to American Landscaping Systems, related to construction services for the West Prosper Road, Segment A Gee Road Landscape Architecture project; and authorize the Town Manager to execute a construction agreement for same.



# LOCATION MAP

West Prosper Roads, Segment A Gee Road

Landscape Architecture



**CSP NO. 2021-04-B**  
**WEST PROSPER ROADS, SEGMENT A GEE ROAD LANDSCAPE ARCHITECTURE**

| <b>EVALUATION MATRIX</b>      |                  | <b>AMERICAN<br/>LANDSCAPE SYSTEMS</b> |                           | <b>CENTRAL NORTH<br/>CONSTRUCTION, LLC</b> |                           | <b>SRH LANDSCAPES<br/>LLC</b> |                           |
|-------------------------------|------------------|---------------------------------------|---------------------------|--|---------------------------|-------------------------------|---------------------------|
| <b>EVALUATION CRITERIA</b>    | <b>WEIGHTING</b> | <b>POINTS</b>                         | <b>WEIGHTED<br/>SCORE</b> | <b>POINTS</b>                              | <b>WEIGHTED<br/>SCORE</b> | <b>POINTS</b>                 | <b>WEIGHTED<br/>SCORE</b> |
| Qualifications and Experience | <b>30%</b>       | 7.56                                  | 2.27                      | 4.44                                       | 1.33                      | 6.67                          | 2.00                      |
| Proposed Project Timeline     | <b>20%</b>       | 10.00                                 | 2.00                      | 5.00                                       | 1.00                      | 7.78                          | 1.56                      |
| Cost Proposal                 | <b>50%</b>       | 10.00                                 | 5.00                      | 7.83                                       | 3.91                      | 9.37                          | 4.68                      |
| <b>TOTAL</b>                  | <b>100%</b>      |                                       | <b>9.27</b>               |  | <b>6.25</b>               |                               | <b>8.24</b>               |

CONTRACT DOCUMENTS AND SPECIFICATIONS  
FOR

**WEST PROSPER ROADS, SEGMENT A GEE  
ROAD LANDSCAPE ARCHITECTURE  
CSP NO. 2021-04-B**



TOWN OF PROSPER  
COLLIN COUNTY, TEXAS

TOWN OFFICIALS

Ray Smith, Mayor  
Curry Vogelsang, Jr., Mayor Pro-Tem  
Jason Dixon, Deputy Mayor Pro-Tem  
Marcus E. Ray, Place 1  
Craig Andres, Place 2  
Meigs Miller, Place 4  
Jeff Hodges, Place 5

Harlan Jefferson, Town Manager

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## LEGAL NOTICE

The Town of Prosper is accepting competitive sealed proposals for **CSP NO. 2021-04-B WEST PROSPER ROADS, SEGMENT A GEE ROAD LANDSCAPE ARCHITECTURE**. Proposals will be accepted online through IonWave.net, the Town's e-procurement system, or in hard copy in the Purchasing Office located in the 3rd Floor Finance Suite of Town Hall, 250 W. First St., Prosper, Texas 75078 until **2:00 P.M. on Thursday, October 8, 2020**. Any proposals received after this time will not be accepted, and will be returned unopened. **The proposal opening will be held online on Thursday, October 8, 2020 @ 2:30 P.M.** To participate in the proposal opening, please use the following:

|                               |   |
|-------------------------------|---|
| Join Zoom Meeting:            | <a href="https://us02web.zoom.us/j/81724127999">https://us02web.zoom.us/j/81724127999</a>                 |
| Meeting ID:                   | 817 2412 7999   |
| Dial-in any of these numbers: | +1 929 436 2866, +1 312 626 6799, +1 669 900 6833, +1 253 215 8782,<br>+1 301 715 8592 or +1 346 248 7799 |

The Project consists of furnishing all labor, equipment and materials (except as otherwise specified), and performing all work necessary for the construction of hardscape, landscape, irrigation, stamped and stained concrete median noses for two medians on Gee Road..

Each proposal submitted shall be accompanied by a cashier's check in the amount of 5% of the maximum amount proposed, payable without recourse to the Town of Prosper, or a Bid Bond in the same amount from a reliable surety company as a guarantee that, if awarded the contract, the successful Contractor will execute a Construction Agreement with the Town, including all required bonds and other documents.

The successful Contractor shall furnish a Performance Bond in the amount of 115% of the contract amount, and a Payment Bond in the amount of 100% of the contract amount, as well as evidence of all required insurance coverage within ten (10) calendar days of notice of award. The successful Contractor shall also furnish a Maintenance Bond in the amount of 100% of the contract amount covering defects of material and workmanship for two calendar years following the Town's approval and acceptance of the construction. An approved surety company, licensed in the State of Texas, shall issue all bonds in accordance with Texas law.

Copies of Plans, Specifications, and Contract Documents may be examined at **Town of Prosper Engineering Department, 250 W. First St., Prosper, Texas, 75078, Phone: (972) 569-1198** without charge. These documents may be acquired from that office for the non-refundable purchase price of \$50 per set, payable to the Town of Prosper. Copies of Plans, Specifications, and Contract Documents may also be downloaded free of charge from Current Bidding Opportunities, at the following link: <http://www.prospertx.gov/business/bid-opportunities/>.

Questions and requests for clarifications in regards to this proposal should be submitted in writing through IonWave.net, the Town's e-procurement system, or emailed directly to January Cook, CPPO, CPPB, Purchasing Manager, at [jcook@prospertx.gov](mailto:jcook@prospertx.gov). The deadline for receipt of questions and requests for clarifications is **12:00 P.M. on Wednesday, September 30, 2020**. After that day and time, no further questions or requests for clarifications will be accepted or answered by the Engineer or Town.



## INSTRUCTIONS TO PROPOSERS

1. Submittal Deadline: Proposals will be accepted until **2:00 P.M. on Thursday, October 8, 2020**.
2. Submittal Location: Proposals will be accepted online through IonWave.net, the Town's e-procurement system, or in hard copy in the Purchasing Office located in the 3rd Floor Finance Suite of Town Hall, 250 W. First St., Prosper, Texas 75078.
3. Electronic Submittal Requirements: If submitting proposal through IonWave.net, Proposer shall complete all requested information and submit all required documents.
4. Hard Copy Submittal Requirements: If submitting proposal in hard copy, Proposer shall submit one (1) original of their proposal in a sealed envelope clearly marked with their name and **CSP NO. 2021-04-B WEST PROSPER ROADS, SEGMENT A GEE ROAD LANDSCAPE ARCHITECTURE**. Proposer shall complete all requested information and submit all required documents.
5. Proposal Opening: **The proposal opening will be held online on Thursday, October 8, 2020 @ 2:30 P.M.** To participate in the proposal opening, please use the following:
 

|                              |   |
|------------------------------|---|
| Join Zoom Meeting:           | <a href="https://us02web.zoom.us/j/81724127999">https://us02web.zoom.us/j/81724127999</a>                 |
| Meeting ID:                  | 817 2412 7999   |
| Dial-in any of these numbers | +1 929 436 2866, +1 312 626 6799, +1 669 900 6833, +1 253 215 8782,<br>+1 301 715 8592 or +1 346 248 7799 |
6. Proposal Documents: Copies of Plans, Specifications, and Contract Documents may be examined without charge at the following location:
 

Town of Prosper Engineering Department  
250 W. First ST.  
Prosper, TX 75078  
Phone: 972-569-1198

or

Download free of charge from Current Bidding Opportunities, at the following link:  
<http://www.prospertx.gov/business/bid-opportunities/>.
7. Questions and Requests for Clarification: Questions and requests for clarifications in regards to this proposal should be submitted in writing through IonWave.net, the Town's e-procurement system, or emailed directly to January Cook, CPPO, CPPB, Purchasing Manager, at [jcook@prospertx.gov](mailto:jcook@prospertx.gov). The deadline for receipt of questions and requests for clarifications is **12:00 P.M. on Wednesday, September 30, 2020**. After that day and time, no further questions or requests for clarifications will be accepted or answered by the Engineer or Town.
8. Addenda: If it becomes necessary to provide additional information to potential Proposers, the Town of Prosper will issue an addendum containing the necessary information.

9. Pre-Proposal Meeting: A pre-proposal meeting will not be held for this project.
10. Site Visit: N/A

## CONSTRUCTION AGREEMENT

THE STATE OF TEXAS            )  
   )  
 COUNTY OF COLLIN            )

KNOW ALL MEN BY THESE PRESENTS:

This Construction Agreement (the "Agreement") is made by and between **American Landscape Systems, Inc.**, a company authorized to do business in Texas, (the "Contractor") and the **Town of Prosper, Texas**, a municipal corporation (the "Owner"). For and in consideration of the payment, agreements and conditions hereinafter mentioned, and under the conditions expressed in the bonds herein, Contractor hereby agrees to complete the construction of improvements described as follows:

### **CSP NO. 2021-04-B WEST PROSPER ROADS, SEGMENT A GEE ROAD LANDSCAPE ARCHITECTURE**

in the Town of Prosper, Texas, and all extra work in connection therewith, under the terms as stated in the terms of this Contract, including all Contract Documents incorporated herein; and at his, her or their own proper cost and expense to furnish all superintendence, labor, insurance, equipment, tools and other accessories and services necessary to complete the said construction in accordance with all the Contract Documents, incorporated herein as if written word for word, and in accordance with the Plans, which include all maps, plats, blueprints, and other drawings and printed or written explanatory manner therefore, and the Specifications as prepared by Town of Prosper or its consultant hereinafter called Engineer, who has been identified by the endorsement of the Contractor's written proposal, the General Conditions of this Contract, the Special Conditions of this Contract, the payment, performance, and maintenance bonds hereto attached; all of which are made a part hereof and collectively evidence and constitute the entire Contract.

#### **A. Contract Documents and Order of Precedence**

The Contract Documents shall consist of the following documents:

1. this Construction Agreement;
2. properly authorized change orders;
3. the Special Conditions of this Contract;
4. the General Conditions of this Contract;
5. the Technical Specifications & Construction Drawings of this Contract;
6. the OWNER's Standard Construction Details;
7. the OWNER's Standard Construction Specifications;
8. the OWNER's written notice to proceed to the CONTRACTOR;
9. the Contractor's Cost Proposal;
10. any listed and numbered addenda;
11. the Performance, Payment, and Maintenance Bonds; and,
12. any other proposal materials distributed by the Owner that relate to the Project.

These Contract Documents are incorporated by reference into this Construction Agreement as if set out here in their entirety. The Contract Documents are intended to be complementary; what is called for by one document shall be as binding as if called for by all Contract Documents. It is specifically provided, however, that in the event of any inconsistency in the Contract Documents, the inconsistency shall be

resolved by giving precedence to the Contract Documents in the order in which they are listed herein above. If, however, there exists a conflict or inconsistency between the Technical Specifications and the Construction Drawings it shall be the Contractor's obligation to seek clarification as to which requirements or provisions control before undertaking any work on that component of the project. Should the Contractor fail or refuse to seek a clarification of such conflicting or inconsistent requirements or provisions prior to any work on that component of the project, the Contractor shall be solely responsible for the costs and expenses - including additional time - necessary to cure, repair and/or correct that component of the project.

#### **B. Total of Payments Due Contractor**

For performance of the Work in accordance with the Contract Documents, the Owner shall pay the Contractor in current funds an amount not to exceed **One Hundred Eighty Three Thousand Six Hundred Four dollars and Seventy cents (\$183,604.70)**. This amount is subject to adjustment by change order in accordance with the Contract Documents.

#### **C. Dates to Start and Complete Work**

Contractor shall begin work within ten (10) calendar days after receiving a written Notice to Proceed or written Work Order from the Owner. All Work required under the Contract Documents shall be substantially completed within **60** calendar days after the date of the Notice to Proceed for the base proposal. Within **10** additional calendar days after Substantial Completion, all outstanding issues shall be addressed and ready for final payment.

Under this Construction Agreement, all references to "day" are to be considered "calendar days" unless noted otherwise.

#### **D. CONTRACTOR'S INDEMNITY TO THE OWNER AND OTHERS**

**CONTRACTOR DOES HEREBY AGREE TO WAIVE ALL CLAIMS, RELEASE, INDEMNIFY, DEFEND AND HOLD HARMLESS THE TOWN OF PROSPER (OWNER) TOGETHER WITH ITS MAYOR AND TOWN COUNCIL AND ALL OF ITS OFFICIALS, OFFICERS, AGENTS AND EMPLOYEES, IN BOTH THEIR PUBLIC AND PRIVATE CAPACITIES, FROM AND AGAINST ANY AND ALL CITATIONS, CLAIMS, COSTS, DAMAGES, DEMANDS, EXPENSES, FINES, JUDGMENTS, LIABILITY, LOSSES, PENALTIES, SUITS OR CAUSES OF ACTION OF EVERY KIND INCLUDING ALL EXPENSES OF LITIGATION AND/OR SETTLEMENT, COURT COSTS AND ATTORNEY FEES WHICH MAY ARISE BY REASON OF INJURY TO OR DEATH OF ANY PERSON OR FOR LOSS OF, DAMAGE TO, OR LOSS OF USE OF ANY PROPERTY OCCASIONED BY ERROR, OMISSION, OR NEGLIGENT ACT OF CONTRACTOR, ITS SUBCONTRACTORS, ANY OFFICERS, AGENTS OR EMPLOYEES OF CONTRACTOR OR ANY SUBCONTRACTORS, INVITEES, AND ANY OTHER THIRD PARTIES OR PERSONS FOR WHOM OR WHICH CONTRACTOR IS LEGALLY RESPONSIBLE, IN ANY WAY ARISING OUT OF, RELATING TO, RESULTING FROM, OR IN CONNECTION WITH THE PERFORMANCE OF THIS CONTRACT, AND CONTRACTOR WILL AT HIS OR HER OWN COST AND EXPENSE DEFEND AND PROTECT TOWN OF PROSPER (OWNER) FROM ANY AND ALL SUCH CLAIMS AND DEMANDS.**

**CONTRACTOR DOES HEREBY AGREE TO WAIVE ALL CLAIMS, RELEASE, INDEMNIFY, DEFEND AND HOLD HARMLESS TOWN OF PROSPER (OWNER) TOGETHER WITH ITS MAYOR AND TOWN COUNCIL AND ALL OF ITS OFFICIALS, OFFICERS, AGENTS, AND EMPLOYEES, FROM AND**

**AGAINST ANY AND ALL CITATIONS, CLAIMS, COSTS, DAMAGES, DEMANDS, EXPENSES, FINES, JUDGMENTS, LIABILITY, LOSSES, PENALTIES, SUITS OR CAUSES OF ACTION OF EVERY KIND INCLUDING ALL EXPENSES OF LITIGATION AND/OR SETTLEMENT, COURT COSTS AND ATTORNEYS FEES FOR INJURY OR DEATH OF ANY PERSON OR FOR LOSS OF, DAMAGES TO, OR LOSS OF USE OF ANY PROPERTY, ARISING OUT OF OR IN CONNECTION WITH THE PERFORMANCE OF THIS CONTRACT. SUCH INDEMNITY SHALL APPLY WHETHER THE CITATIONS, CLAIMS, COSTS, DAMAGES, DEMANDS, EXPENSES, FINES, JUDGMENTS, LIABILITY, LOSSES, PENALTIES, SUITS OR CAUSES OF ACTION ARISE IN WHOLE OR IN PART FROM THE NEGLIGENCE OF THE TOWN OF PROSPER (OWNER), ITS MAYOR AND TOWN COUNCIL, OFFICERS, OFFICIALS, AGENTS OR EMPLOYEES. IT IS THE EXPRESS INTENTION OF THE PARTIES HERETO THAT THE INDEMNITY PROVIDED FOR IN THIS PARAGRAPH IS INDEMNITY BY CONTRACTOR TO INDEMNIFY AND PROTECT TOWN OF PROSPER (OWNER) FROM THE CONSEQUENCES OF TOWN OF PROSPER'S (OWNER'S) OWN NEGLIGENCE, WHETHER THAT NEGLIGENCE IS A SOLE OR CONCURRING CAUSE OF THE INJURY, DEATH OR DAMAGE.**

**IN ANY AND ALL CLAIMS AGAINST ANY PARTY INDEMNIFIED HEREUNDER BY ANY EMPLOYEE OF THE CONTRACTOR, ANY SUB-CONTRACTOR, ANYONE DIRECTLY OR INDIRECTLY EMPLOYED BY ANY OF THEM OR ANYONE FOR WHOSE ACTS ANY OF THEM MAY BE LIABLE, THE INDEMNIFICATION OBLIGATION HEREIN PROVIDED SHALL NOT BE LIMITED IN ANY WAY BY ANY LIMITATION ON THE AMOUNT OR TYPE OF DAMAGES, COMPENSATION OR BENEFITS PAYABLE BY OR FOR THE CONTRACTOR OR ANY SUB-CONTRACTOR UNDER WORKMEN'S COMPENSATION OR OTHER EMPLOYEE BENEFIT ACTS.**

**INDEMNIFIED ITEMS SHALL INCLUDE ATTORNEYS' FEES AND COSTS, COURT COSTS, AND SETTLEMENT COSTS. INDEMNIFIED ITEMS SHALL ALSO INCLUDE ANY EXPENSES, INCLUDING ATTORNEYS' FEES AND EXPENSES, INCURRED BY AN INDEMNIFIED INDIVIDUAL OR ENTITY IN ATTEMPTING TO ENFORCE THIS INDEMNITY.**

In its sole discretion, the Owner shall have the right to approve counsel to be retained by Contractor in fulfilling its obligation to defend and indemnify the Owner. Contractor shall retain approved counsel for the Owner within seven (7) business days after receiving written notice from the Owner that it is invoking its right to indemnification under this Construction Agreement. If Contractor does not retain counsel for the Owner within the required time, then the Owner shall have the right to retain counsel and the Contractor shall pay these attorneys' fees and expenses.

The Owner retains the right to provide and pay for any or all costs of defending indemnified items, but it shall not be required to do so. To the extent that Owner elects to provide and pay for any such costs, Contractor shall indemnify and reimburse Owner for such costs.

(Please note that this "broad-form" indemnification clause is not prohibited by Chapter 151 of the Texas Insurance Code as it falls within one of the exclusions contained in Section 151.105 of the Texas Insurance Code.)

## E. Insurance Requirements

Contractor shall procure and maintain for the duration of the contract, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the vendor, his agents, representatives, employees or subcontractors. The cost of such insurance shall be included in the contractor's proposal. A certificate of insurance meeting all requirements and provisions outlined herein shall be provided to the Town prior to any services being performed or rendered. Renewal certificates shall also be supplied upon expiration. Certificates holder shall be listed as follows, with the project/contract number referenced:

Town of Prosper  
Attn: Purchasing Manager  
P.O. Box 307  
Prosper, Texas 75078

re: CSP No. 2021-04-B  
WEST PROSPER ROADS, SEGMENT A GEE ROAD  
LANDSCAPE ARCHITECTURE

### 1. Minimum Scope of Insurance

Coverage shall be at least as broad as:

- a. ISO Form Number GL 00 01 (or similar form) covering Comprehensive General Liability. "Occurrence" form only, "claims made" forms are unacceptable.
- b. Workers' Compensation insurance as required by the Labor Code of the State of Texas, including Employers' Liability Insurance.
- c. Automobile Liability as required by the State of Texas, covering all owned, hired, or non-owned vehicles. Automobile Liability is only required if vehicle(s) will be used under this contract.

### 2. Minimum Limits of Insurance

Contractor shall maintain throughout contract limits not less than:

- a. Commercial General Liability: \$1,000,000 per occurrence / \$2,000,000 in the aggregate for third party bodily injury, personal injury and property damage. Policy will include coverage for:
  - 1) Premises / Operations
  - 2) Broad Form Contractual Liability
  - 3) Products and Completed Operations

- 4) Personal Injury
  - 5) Broad Form Property Damage
  - 6) Explosion Collapse and Underground (XCU) Coverage.
- b. Workers' Compensation and Employer's Liability: Workers' Compensation limits as required by the Labor Code of the State of Texas and Statutory Employer's Liability minimum limits of \$100,000 per injury, \$300,000 per occurrence, and \$100,000 per occupational disease.
  - c. Automobile Liability: \$1,000,000 Combined Single Limit. Limits can only be reduced if approved by the Town. Automobile liability shall apply to all owned, hired and non-owned autos.
  - d. Builders' Risk Insurance: Completed value form, insurance carried must be equal to the completed value of the structure. Town shall be listed as Loss Payee.
  - e. \$1,000,000 Umbrella Liability Limit that follows form over underlying Automobile Liability, General Liability, and Employers Liability coverages.
3. Deductible and Self-Insured Retentions

Any deductible or self-insured retentions in excess of \$10,000 must be declared to and approved by the Town.

4. Other Insurance Provisions

The policies are to contain, or be endorsed to contain the following provisions:

- a. General Liability and Automobile Liability Coverage

- 1) The Town, its officers, officials, employees, boards and commissions and volunteers are to be added as "Additional Insured's" relative to liability arising out of activities performed by or on behalf of the contractor, products and completed operations of the contractor, premises owned, occupied or used by the contractor. The coverage shall contain no special limitations on the scope of protection afforded to the Town, its officers, officials, employees or volunteers.
- 2) The contractor's insurance coverage shall be primary insurance in respects to the Town, its officers, officials, employees and volunteers. Any insurance or self- insurance maintained by the Town, its officers, officials, employees or volunteers shall be in excess of the contractor's insurance and shall not contribute with it.

- 3) Any failure to comply with reporting provisions of the policy shall not affect coverage provided to the Town, its officers, officials, employees, boards and commissions or volunteers.
- 4) The contractor's insurance shall apply separately to each insured against whom the claim is made or suit is brought, except to the limits of the insured's limits of liability.

b. Workers' Compensation and Employer's Liability Coverage

The insurer shall agree to waive all rights of subrogation against the Town, its officers, officials, employees and volunteers for losses arising from work performed by the contractor for the Town.

c. All Coverages

Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled or non-renewed by either party, reduced in coverage or in limits except after 30 days written notice to the Town for all occurrences, except 10 days written notice to the Town for non-payment.

5. Acceptability of Insurers

The Town prefers that Insurance be placed with insurers with an A.M. Best's rating of no less than A- VI, or better.

6. Verification of Coverage

Contractor shall provide the Town with certificates of insurance indicating coverage's required. The certificates are to be signed by a person authorized by that insurer to bind coverage on its behalf. Certificates of Insurance similar to the ACORD Form are acceptable. Town will not accept Memorandums of Insurance or Binders as proof of insurance. The Town reserves the right to require complete, certified copies of all required insurance policies at any time.

## F. Performance, Payment and Maintenance Bonds

The Contractor shall procure and pay for a Performance Bond applicable to the work in the amount of one hundred fifteen percent (115%) of the total proposed price, and a Payment Bond applicable to the work in the amount of one hundred percent (100%) of the total proposed price. The Contractor shall also procure and pay for a Maintenance Bond applicable to the work in the amount of one hundred percent (100%) of the total proposed price. The period of the Maintenance Bond shall be two years from the date of acceptance of all work done under the contract, to cover the guarantee as set forth in this Construction Agreement. The performance, payment and maintenance bonds shall be issued in the form attached to this Construction Agreement as Exhibits A, B and C. Other performance, payment and



maintenance bond forms shall not be accepted. Among other things, these bonds shall apply to any work performed during the two-year warranty period after acceptance as described in this Construction Agreement.

The performance, payment and maintenance bonds shall be issued by a corporate surety, acceptable to and approved by the Town, authorized to do business in the State of Texas, pursuant to Chapter 2253 of the Texas Government Code. Further, the Contractor shall supply capital and surplus information concerning the surety and reinsurance information concerning the performance, payment and maintenance bonds upon Town request. In addition to the foregoing requirements, if the amount of the bond exceeds One Hundred Thousand Dollars (\$100,000) the bond must be issued by a surety that is qualified as a surety on obligations permitted or required under federal law as indicated by publication of the surety's name in the current U.S. Treasury Department Circular 570. In the alternative, an otherwise acceptable surety company (not qualified on federal obligations) that is authorized and admitted to write surety bonds in Texas must obtain reinsurance on any amounts in excess of One Hundred Thousand Dollars (\$100,000) from a reinsurer that is authorized and admitted as a reinsurer in Texas who also qualifies as a surety or reinsurer on federal obligations as indicated by publication of the surety's or reinsurer's name in the current U.S. Treasury Department Circular 570.

### **G. Progress Payments and Retainage**

As it completes portions of the Work, the Contractor may request progress payments from the Owner. Progress payments shall be made by the Owner based on the Owner's estimate of the value of the Work properly completed by the Contractor since the time the last progress payment was made. The "estimate of the value of the work properly completed" shall include the net invoice value of acceptable, non-perishable materials actually delivered to and currently at the job site only if the Contractor provides to the Owner satisfactory evidence that material suppliers have been paid for these materials.

No progress payment shall be due to the Contractor until the Contractor furnishes to the Owner:

1. copies of documents reasonably necessary to aid the Owner in preparing an estimate of the value of Work properly completed;
2. full or partial releases of liens, including releases from subcontractors providing materials or delivery services relating to the Work, in a form acceptable to the Owner releasing all liens or claims relating to goods and services provided up to the date of the most recent previous progress payment;
3. an updated and current schedule clearly detailing the project's critical path elements; and
4. any other documents required under the Contract Documents.

Progress payments shall not be made more frequently than once every thirty (30) calendar days unless the Owner determines that more frequent payments are appropriate. Further, progress payments are to be based on estimates and these estimates are subject to correction through the adjustment of subsequent progress payments and the final payment to Contractor. If the Owner determines after final payment that it has overpaid the Contractor, then Contractor agrees to pay to the Owner the overpayment amount specified by the Owner within thirty (30) calendar days after it receives written demand from the Owner.

The fact that the Owner makes a progress payment shall not be deemed to be an admission by the Owner concerning the quantity, quality or sufficiency of the Contractor's work. Progress payments shall not be deemed to be acceptance of the Work nor shall a progress payment release the Contractor from any of its responsibilities under the Contract Documents.

After determining the amount of a progress payment to be made to the Contractor, the Owner shall withhold a percentage of the progress payment as retainage. The amount of retainage withheld from each progress payment shall be set at five percent (5%). Retainage shall be withheld and may be paid to:

1. ensure proper completion of the Work. The Owner may use retained funds to pay replacement or substitute contractors to complete unfinished or defective work;
2. ensure timely completion of the Work. The Owner may use retained funds to pay liquidated damages; and
3. provide an additional source of funds to pay claims for which the Owner is entitled to indemnification from Contractor under the Contract Documents.

Retained funds shall be held by the Owner in accounts that shall not bear interest. Retainage not otherwise withheld in accordance with the Contract Documents shall be returned to the Contractor as part of the final payment.

#### **H. Withholding Payments to Contractor**

The Owner may withhold payment of some or all of any progress or final payment that would otherwise be due if the Owner determines, in its discretion, that the Work has not been performed in accordance with the Contract Documents. The Owner may use these funds to pay replacement or substitute contractors to complete unfinished or defective Work.

The Owner may withhold payment of some or all of any progress or final payment that would otherwise be due if the Owner determines, in its discretion, that it is necessary and proper to provide an additional source of funds to pay claims for which the Owner is entitled to indemnification from Contractor under the Contract Documents.

Amounts withheld under this section shall be in addition to any retainage.

#### **I. Acceptance of the Work**

When the Work is completed, the Contractor shall request that the Owner perform a final inspection. The Owner shall inspect the Work. If the Owner determines that the Work has been completed in accordance with the Contract Documents, it shall issue a written notice of acceptance of the Work. If the Owner determines that the Work has not been completed in accordance with the Contract Documents, then it shall provide the Contractor with a verbal or written list of items to be completed before another final inspection shall be scheduled.

It is specifically provided that Work shall be deemed accepted on the date specified in the Owner's written notice of acceptance of the Work. The Work shall not be deemed to be accepted based on

"substantial completion" of the Work, use or occupancy of the Work, or for any reason other than the Owner's written Notice of Acceptance. Further, the issuance of a certificate of occupancy for all or any part of the Work shall not constitute a Notice of Acceptance for that Work.

In its discretion, the Owner may issue a Notice of Acceptance covering only a portion of the Work. In this event, the notice shall state specifically what portion of the Work is accepted.

#### **J. Acceptance of Erosion Control Measures**

When the erosion control measures have been completed, the Contractor shall request that the Owner perform a final inspection. The Owner shall inspect the Work. If the Owner determines that the Work has been completed in accordance with the Contract Documents and per TPDES General Construction Permit, it shall issue a written Notice of Acceptance of the Work. If the Owner determines that the Work has not been completed in accordance with the Contract Documents or TPDES General Construction Permit, then it shall provide the Contractor with a verbal or written list of items to be completed before another final inspection shall be scheduled.

#### **K. Final Payment**

After all Work required under the Contract Documents has been completed, inspected, and accepted, the Town shall calculate the final payment amount promptly after necessary measurements and computations are made. The final payment amount shall be calculated to:

1. include the estimate of the value of Work properly completed since the date of the most recent previous progress payment;
2. correct prior progress payments; and
3. include retainage or other amounts previously withheld that are to be returned to Contractor, if any.

Final payment to the Contractor shall not be due until the Contractor provides original full releases of liens from the Contractor and its subcontractors, or other evidence satisfactory to the Owner to show that all sums due for labor, services, and materials furnished for or used in connection with the Work have been paid or shall be paid with the final payment. To ensure this result, Contractor consents to the issuance of the final payment in the form of joint checks made payable to Contractor and others. The Owner may, but is not obligated to issue final payment using joint checks.

Final payment to the Contractor shall not be due until the Contractor has supplied to the Owner original copies of all documents that the Owner determines are reasonably necessary to ensure both that the final payment amount is properly calculated and that the Owner has satisfied its obligation to administer the Construction Agreement in accordance with applicable law. The following documents shall, at a minimum, be required to be submitted prior to final payment being due: redline as-built construction plans; consent of surety to final payment; public infrastructure inventory; affidavit of value for public infrastructure; and, final change order(s). "Redline as-built construction plans" shall include, but are not limited to markups for change orders, field revisions, and quantity overruns as applicable. The list of documents contained in this provision is not an exhaustive and exclusive list for every project performed pursuant to these Contract Documents

and Contractor shall provide such other and further documents as may be requested and required by the Owner to close out a particular project.

Subject to the requirements of the Contract Documents, the Owner shall pay the Final Payment within thirty (30) calendar days after the date specified in the Notice of Acceptance. This provision shall apply only after all Work called for by the Contract Documents has been accepted.

#### **L. Contractor's Warranty**

For a two-year period after the date specified in a written notice of acceptance of Work, Contractor shall provide and pay for all labor and materials that the Owner determines are necessary to correct all defects in the Work arising because of defective materials or workmanship supplied or provided by Contractor or any subcontractor. This shall also include areas of vegetation that did meet TPDES General Construction Permit during final close out but have since become noncompliant.

Forty-five (45) to sixty (60) calendar days before the end of the two-year warranty period, the Owner may make a warranty inspection of the Work. The Owner shall notify the Contractor of the date and time of this inspection so that a Contractor representative may be present. After the warranty inspection, and before the end of the two-year warranty period, the Owner shall mail to the Contractor a written notice that specifies the defects in the Work that are to be corrected.

The Contractor shall begin the remedial work within ten (10) calendar days after receiving the written notice from the Town. If the Contractor does not begin the remedial work timely or prosecute it diligently, then the Owner may pay for necessary labor and materials to effect repairs and these expenses shall be paid by the Contractor, the performance bond surety, or both.

If the Owner determines that a hazard exists because of defective materials and workmanship, then the Owner may take steps to alleviate the hazard, including making repairs. These steps may be taken without prior notice either to the Contractor or its surety. Expenses incurred by the Owner to alleviate the hazard shall be paid by the Contractor, the performance bond surety, or both.

Any Work performed by or for the Contractor to fulfill its warranty obligations shall be performed in accordance with the Contract Documents. By way of example only, this is to ensure that Work performed during the warranty period is performed with required insurance and the performance and payment bonds still in effect.

Work performed during the two-year warranty period shall itself be subject to a one-year warranty. This warranty shall be the same as described in this section.

The Owner may make as many warranty inspections as it deems appropriate.

#### **M. Compliance with Laws**

The Contractor shall be responsible for ensuring that it and any subcontractors performing any portion of the Work required under the Contract Documents comply with all applicable federal, state, county, and municipal laws, regulations, and rules that relate in any way to the performance and completion of the

Work. This provision applies whether or not a legal requirement is described or referred to in the Contract Documents.

Ancillary/Integral Professional Services: In selecting an architect, engineer, land surveyor, or other professional to provide professional services, if any, that are required by the Contract Documents, Contractor shall not do so on the basis of competitive bids but shall make such selection on the basis of demonstrated competence and qualifications to perform the services in the manner provided by Section 2254.004 of the Texas Government Code and shall so certify to the Town the Contractor's agreement to comply with this provision with Contractor's bid.

#### **N. "Anti-Israel Boycott" Provision**

In accordance with Chapter 2270, Texas Government Code, a Texas governmental entity may not enter into a contract with a company for the provision of goods or services unless the contract contains a written verification from the company that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the contract. Chapter 2270 does not apply to a (1) a company that is a sole proprietorship; (2) a company that has fewer than ten (10) full-time employees; or (3) a contract that has a value of less than One Hundred Thousand Dollars (\$100,000.00). Unless the company is not subject to Chapter 2270 for the reasons stated herein, the signatory executing this Agreement on behalf of the company verifies by its signature to this Contract that the company does not boycott Israel and will not boycott Israel during the term of this Contract.

#### **O. Other Items**

The Contractor shall sign the Construction Agreement, and deliver signed performance, payment and maintenance bonds and proper insurance policy endorsements (and/or other evidence of coverage) within ten (10) calendar days after the Owner makes available to the Contractor copies of the Contract Documents for signature. Six (6) copies of the Contract Documents shall be signed by an authorized representative of the Contractor and returned to the Town.

The Construction Agreement "effective date" shall be the date on which the Town Council acts to approve the award of the Contract for the Work to Contractor. It is expressly provided, however, that the Town Council delegates the authority to the Town Manager or his designee to rescind the Contract award to Contractor at any time before the Owner delivers to the Contractor a copy of this Construction Agreement that bears the signature of the Town Manager and Town Secretary or their authorized designees. The purpose of this provision is to ensure:

1. that Contractor timely delivers to the Owner all bonds and insurance documents; and
2. that the Owner retains the discretion not to proceed if the Town Manager or his designee determines that information indicates that the Contractor was not the lowest responsible bidder or that the Contractor cannot perform all of its obligations under the Contract Documents.

**THE CONTRACTOR AGREES THAT IT SHALL HAVE NO CLAIM OR CAUSE OF ACTION OF ANY KIND AGAINST OWNER, INCLUDING A CLAIM FOR BREACH OF CONTRACT, NOR SHALL THE OWNER BE REQUIRED TO PERFORM UNDER THE CONTRACT DOCUMENTS, UNTIL THE DATE THE**

**OWNER DELIVERS TO THE CONTRACTOR A COPY OF THE CONSTRUCTION AGREEMENT BEARING THE SIGNATURES JUST SPECIFIED.**

The Contract Documents shall be construed and interpreted by applying Texas law. Exclusive venue for any litigation concerning the Contract Documents shall be Collin County, Texas.

In the event of any disagreement or conflict concerning the interpretation of this Agreement, and such disagreement cannot be resolved by the signatories hereto, the signatories agree to submit such disagreement to non-binding mediation.

Although the Construction Agreement has been drafted by the Owner, should any portion of the Construction Agreement be disputed, the Owner and Contractor agree that it shall not be construed more favorably for either party.

The Contract Documents are binding upon the Owner and Contractor and shall insure to their benefit and as well as that of their respective successors and assigns.

If Town Council approval is not required for the Construction Agreement under applicable law, then the Construction Agreement "effective date" shall be the date on which the Town Manager and Town Secretary or their designees have signed the Construction Agreement. If the Town Manager and Town Secretary sign on different dates, then the later date shall be the effective date.

*[Signatures continued on following page.]*

**AMERICAN LANDSCAPE SYSTEMS, INC.**

**TOWN OF PROSPER, TEXAS**

\_\_\_\_\_  
By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Address: 1780 Midway Rd.  
Lewisville, Texas 75056

Phone: (469) 521-2200  
Email: amj@americanlandscapesystems.com

\_\_\_\_\_  
By: **HARLAN JEFFERSON**

Title: Town Manager

Date: \_\_\_\_\_

Address: 250 W. First St.  
P.O. Box 307  
Prosper, Texas 75078

Phone: (972) 346-2640  
Email: hjefferson@prospertx.gov

ATTEST:

\_\_\_\_\_  
MELISSA LEE  
Town Secretary

## PERFORMANCE BOND

STATE OF TEXAS                    )  
  )  
COUNTY OF COLLIN        )

**KNOW ALL MEN BY THESE PRESENTS:** That \_\_\_\_\_ whose address is \_\_\_\_\_, hereinafter called Principal, and \_\_\_\_\_, a corporation organized and existing under the laws of the State of \_\_\_\_\_, and fully licensed to transact business in the State of Texas, as Surety, are held and firmly bound unto the **TOWN OF PROSPER**, a home-rule municipal corporation organized and existing under the laws of the State of Texas, hereinafter called "Beneficiary", in the penal sum of \_\_\_\_\_ Dollars (\$\_\_\_\_\_) plus fifteen percent (15%) of the stated penal sum as an additional sum of money representing additional court expenses, attorneys' fees, and liquidated damages arising out of or connected with the below identified Contract in lawful money of the United States, to be paid in Collin County, Texas, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents. The penal sum of this Bond shall automatically be increased by the amount of any Change Order or Supplemental Agreement, which increases the Contract price, but in no event shall a Change Order or Supplemental Agreement, which reduces the Contract price, decrease the penal sum of this Bond.

**THE OBLIGATION TO PAY SAME** is conditioned as follows: Whereas, the Principal entered into a certain Contract with the Town of Prosper, the Beneficiary, dated on or about the **27th day of October, A.D. 2020**, a copy of which is attached hereto and made a part hereof, to furnish all materials, equipment, labor, supervision, and other accessories necessary for the construction of:

### **CSP NO. 2021-04-B WEST PROSPER ROADS, SEGMENT A GEE ROAD LANDSCAPE ARCHITECTURE**

in the Town of Prosper, Texas, as more particularly described and designated in the above-referenced contract such contract being incorporated herein and made a part hereof as fully and to the same extent as if written herein word for word.

**NOW, THEREFORE**, if the Principal shall well, truly and faithfully perform and fulfill all of the undertakings, covenants, terms, conditions and agreements of said Contract in accordance with the Plans, Specifications and Contract Documents during the original term thereof and any extension thereof which may be granted by the Beneficiary, with or without notice to the Surety, and during the life of any guaranty or warranty required under this Contract, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions and agreements of any and all duly authorized modifications of said Contract that may hereafter be made, notice of which modifications to the Surety being hereby waived; and, if the Principal shall repair and/or replace all defects due to faulty materials and workmanship that appear within a period of one (1) year from the date of final completion and final acceptance of the Work by Owner; and, if the Principal shall fully indemnify and save harmless the Beneficiary from and against all costs and damages which Beneficiary may suffer by reason of failure to so perform herein and shall fully reimburse and repay Beneficiary all outlay and expense which the Beneficiary may incur in making good any default or deficiency, then this obligation shall be void; otherwise, it shall remain in full force and effect.

**PROVIDED FURTHER**, that if any legal action were filed on this Bond, exclusive Venue shall lie in Collin County, Texas.



**AND PROVIDED FURTHER**, that the said Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract or to the Work to be performed thereunder or the Plans, Specifications and Drawings, etc., accompanying the same shall in anywise affect its obligation on this Bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract, or to the Work or to the Specifications.

This Bond is given pursuant to the provisions of Chapter 2253 of the Texas Government Code, and any other applicable statutes of the State of Texas.

The undersigned and designated agent is hereby designated by the Surety herein as the Resident Agent in Collin County or Dallas County to whom any requisite notices may be delivered and on whom service of process may be had in matters arising out of such suretyship, as provided by Article 7.19-1 of the Insurance Code, Vernon's Annotated Civil Statutes of the State of Texas.

IN WITNESS WHEREOF, this instrument is executed in two copies, each one of which shall be deemed an original, this, the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

**PRINCIPAL:**

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Typed/Printed Name

\_\_\_\_\_  
Typed/Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Phone Fax

\_\_\_\_\_  
Phone Fax

*[Signatures continued on following page.]*

ATTEST:

SURETY:

By: \_\_\_\_\_  
Signature

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

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Printed Name

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Title

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Address

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Address

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City State Zip

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Phone Fax

\_\_\_\_\_  
Phone Fax

The Resident Agent of the Surety in Collin County or Dallas County, Texas, for delivery of notice and service of the process is:

NAME: \_\_\_\_\_  
STREET ADDRESS: \_\_\_\_\_  
CITY, STATE, ZIP: \_\_\_\_\_

**NOTE:** Date on **Page 1** of Performance Bond must be **same date as Contract**. Date on **Page 2** of Performance Bond must be **after date of Contract**. If Resident Agent is not a corporation, give a person's name.

## PAYMENT BOND

STATE OF TEXAS                    )  
  )  
COUNTY OF COLLIN        )

**KNOW ALL MEN BY THESE PRESENTS:** That \_\_\_\_\_ whose address is \_\_\_\_\_, hereinafter called Principal, and \_\_\_\_\_, a corporation organized and existing under the laws of the State of \_\_\_\_\_, and fully licensed to transact business in the State of Texas, as Surety, are held and firmly bound unto the **TOWN OF PROSPER**, a home-rule municipal corporation organized and existing under the laws of the State of Texas, hereinafter called "Owner", and unto all persons, firms, and corporations who may furnish materials for, or perform labor upon the building or improvements hereinafter referred to in the penal sum of \_\_\_\_\_ DOLLARS (\$\_\_\_\_\_) (one hundred percent (100%) of the total bid price) in lawful money of the United States, to be paid in Collin County, Texas, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents. The penal sum of this Bond shall automatically be increased by the amount of any Change Order or Supplemental Agreement, which increases the Contract price, but in no event shall a Change Order or Supplemental Agreement, which reduces the Contract price, decrease the penal sum of this Bond.

**THE OBLIGATION TO PAY SAME** is conditioned as follows: Whereas, the Principal entered into a certain Contract with the Town of Prosper, the Owner, dated on or about the **27th day of October, A.D. 2020**, a copy of which is attached hereto and made a part hereof, to furnish all materials, equipment, labor, supervision, and other accessories necessary for the construction of:

### **CSP NO. 2021-04-B WEST PROSPER ROADS, SEGMENT A GEE ROAD LANDSCAPE ARCHITECTURE**

**NOW THEREFORE**, if the Principal shall well, truly and faithfully perform its duties and make prompt payment to all persons, firms, subcontractors, corporations and claimants supplying labor and/or material in the prosecution of the Work provided for in the above-referenced Contract and any and all duly authorized modifications of said Contract that may hereafter be made, notice of which modification to the Surety is hereby expressly waived, then this obligation shall be void; otherwise it shall remain in full force and effect.

**PROVIDED FURTHER**, that if any legal action were filed on this Bond, exclusive venue shall lie in Collin County, Texas.

**AND PROVIDED FURTHER**, that the said Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract, or to the Work performed thereunder, or the Plans, Specifications, Drawings, etc., accompanying the same, shall in anywise affect its obligation on this Bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract, or to the Work to be performed thereunder.

This Bond is given pursuant to the provisions of Chapter 2253 of the Texas Government Code, and any other applicable statutes of the State of Texas.

The undersigned and designated agent is hereby designated by the Surety herein as the Resident Agent in Collin County or Dallas County to whom any requisite notices may be delivered and on whom service of process may

be had in matters arising out of such suretyship, as provided by Article 7.19-1 of the Insurance Code, Vernon's Annotated Civil Statutes of the State of Texas.

**IN WITNESS WHEREOF**, this instrument is executed in two copies, each one of which shall be deemed an original, this, the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

**PRINCIPAL:**

By: \_\_\_\_\_  
Signature

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed/Printed Name

\_\_\_\_\_  
Typed/Printed Name

\_\_\_\_\_  
Title

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Title

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Address

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City State Zip

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City State Zip

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Phone Fax

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Phone Fax

*[Signatures continued on following page.]*

ATTEST:

SURETY:

By: \_\_\_\_\_  
Signature

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

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Address

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City State Zip

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City State Zip

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Phone Fax

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Phone Fax

The Resident Agent of the Surety in Collin County or Dallas County, Texas, for delivery of notice and service of the process is:

NAME: \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP: \_\_\_\_\_

**NOTE:** Date on **Page 1** of Performance Bond must be **same date as Contract**. Date on **Page 2** of Performance Bond must be **after date of Contract**. If Resident Agent is not a corporation, give a person's name.

## MAINTENANCE BOND

STATE OF TEXAS                    )  
   )  
 COUNTY OF COLLIN                )

**KNOW ALL MEN BY THESE PRESENTS:** That \_\_\_\_\_ whose address is \_\_\_\_\_, hereinafter referred to as "Principal," and \_\_\_\_\_, a corporate surety/sureties organized under the laws of the State of \_\_\_\_\_ and fully licensed to transact business in the State of Texas, as Surety, hereinafter referred to as "Surety" (whether one or more), are held and firmly bound unto the **TOWN OF PROSPER**, a Texas municipal corporation, hereinafter referred to as "Owner," in the penal sum of \_\_\_\_\_ DOLLARS (\$\_\_\_\_\_) (one hundred percent (100%) of the total bid price), in lawful money of the United States to be paid to Owner, its successors and assigns, for the payment of which sum well and truly to be made, we bind ourselves, our successors, heirs, executors, administrators and successors and assigns, jointly and severally; and firmly by these presents, the condition of this obligation is such that:

**WHEREAS**, Principal entered into a certain written Contract with the Town of Prosper, dated on or about the **27th day of October, 2020**, to furnish all permits, licenses, bonds, insurance, products, materials, equipment, labor, supervision, and other accessories necessary for the construction of:

### **CSP NO. 2021-04-B WEST PROSPER ROADS, SEGMENT A GEE ROAD LANDSCAPE ARCHITECTURE**

in the Town of Prosper, Texas, as more particularly described and designated in the above-referenced contract, such contract being incorporated herein and made a part hereof as fully and to the same extent as if written herein word for word:

**WHEREAS**, in said Contract, the Principal binds itself to use first class materials and workmanship and of such kind and quality that for a period of two (2) years from the completion and final acceptance of the improvements by Owner the said improvements shall require no repairs, the necessity for which shall be occasioned by defects in workmanship or materials and during the period of two (2) years following the date of final acceptance of the Work by Owner, Principal binds itself to repair or reconstruct said improvements in whole or in part at any time within said period of time from the date of such notice as the Town Manager or his designee shall determine to be necessary for the preservation of the public health, safety or welfare. If Principal does not repair or reconstruct the improvements within the time period designated, Owner shall be entitled to have said repairs made and charge Principal and/or Surety the cost of same under the terms of this Maintenance Bond.

**NOW, THEREFORE**, if Principal will maintain and keep in good repair the Work herein contracted to be done and performed for a period of two (2) years from the date of final acceptance and do and perform all necessary work and repair any defective condition (it being understood that the purpose of this section is to cover all defective conditions arising by reason of defective materials, work or labor performed by Principal) then this obligation shall be void; otherwise it shall remain in full force and effect and Owner shall have and recover from Principal and its Surety damages in the premises as provided in the Plans and Specifications and Contract.

**PROVIDED**, however, that Principal hereby holds harmless and indemnifies Owner from and against any claim or liability for personal injury or property damage caused by and occurring during the performance of said maintenance and repair operation.

**PROVIDED**, further, that if any legal action be filed on this Bond, exclusive venue shall lie in Collin County, Texas.

**AND PROVIDED FURTHER**, Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract or to the Work performed thereunder, or the Plans, Specifications, Drawings, etc. accompanying same shall in any way affect its obligation on this Bond; and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract or to the Work to be performed thereunder.

The undersigned and designated agent is hereby designated by Surety as the resident agent in either Collin or Dallas Counties to whom all requisite notice may be delivered and on whom service of process may be had in matters arising out of this suretyship.

IN WITNESS WHEREOF, this instrument is executed in two copies, each one of which shall be deemed an original, on this the \_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

**PRINCIPAL:**

By: \_\_\_\_\_  
Signature

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed/Printed Name

\_\_\_\_\_  
Typed/Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

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City State Zip

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City State Zip

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Phone Fax

\_\_\_\_\_  
Phone Fax

*[Signatures continued on following page.]*

**ATTEST:**

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

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Title

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Address

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City State Zip

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Phone Fax

**SURETY:**

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Phone Fax



## SPECIAL CONDITIONS

**SC.01 PURPOSE:** The Special Conditions contained herein set forth conditions or requirements particular to this Contract: **CSP NO. 2021-04-B WEST PROSPER ROADS, SEGMENT A GEE ROAD LANDSCAPE ARCHITECTURE**

The Special Conditions supplement the General Conditions and the Standard Specifications and take precedence over any conditions or requirements of the General Conditions and the Standard Specifications with which they are in conflict.

**SC.02 DEFINITIONS:** The following words and expressions, or pronouns used in their place, shall wherever they appear in this Contract, be construed as follows, unless a different meaning is clear from the context:

|                             |   |
|-----------------------------|---|
| <b>LANDSCAPE ARCHITECT:</b> | The Landscape Architect of Record for this project:<br>Leah Campbell, PLA, Kimley Horn and Associates, Inc. |
| <b>ENGINEER:</b>            | The Engineer of Record for this project:<br>Brittany Shake, P.E., Kimley Horn and Associates, Inc.          |

**SC.03 MINIMUM STANDARDS OF RESPONSIBILITY:** A prospective vendor must affirmatively demonstrate responsibility. The Town of Prosper may request representation and other information sufficient to determine respondent's ability to meet the minimum standards, including but not limited to:

- A. Have adequate financial resources, or the ability to obtain such resources as required;
- B. Have a satisfactory record of performance on a minimum of three (3) completed projects of similar scope, quantities, and cost, within the past five (5) years;
- C. Ability to comply with the required or proposed delivery schedule;
- D. Have a satisfactory record of integrity and ethics; and
- E. Be otherwise qualified and eligible to receive an award.

**SC.04 INTRODUCTION:** The Town of Prosper ("Town") is accepting competitive sealed proposals (CSP) for furnishing all labor, equipment and materials (except as otherwise specified), and performing all work necessary for the construction of West Prosper Roads, Segment A Gee Road Landscape Architecture.

The contract will be awarded based on the evaluation criteria stated herein. This document provides interested firms with the information necessary to prepare and submit a proposal for consideration. Proposals are to be submitted in accordance with this document, and the accompanying instructions.

There is no expressed or implied obligation for the Town to reimburse responding firms for any expenses incurred in preparing proposals in response to this request. All costs directly or indirectly related to preparation of a response to this request for competitive sealed proposals (CSP), any oral presentation required to supplement and/or clarify a proposal, and/or reasonable demonstrations which may be, at its discretion, required by the Town shall be the sole responsibility of, and shall be borne completely by the proposer.

Proposals for the projects as specified will be received online, or in hard copy. The date/time stamp located in the Purchasing Office serves as the official time clock. Late Submissions will not be considered. Submissions received after the stated deadline shall be refused and returned unopened. The Town of Prosper is not responsible for issues encountered with methods of delivery. The Town reserves the right to reject any or all proposals submitted.

Proposals submitted will be reviewed by Town staff. It is the responsibility of the proposer to ensure the receipt of any and all addenda related to the proposal. It shall be the sole responsibility of the respondent to

insure that their proposal is received by the Purchasing Office within the time limit indicated. Late proposals will not be considered.

During the evaluation process, the Town reserves the right, where it may serve the Town's best interest, to request additional information or clarifications from proposers, or to allow corrections of errors or omissions. At the discretion of the Town, firms submitting proposals may be requested to make oral presentations as part of the evaluation process, including an oral presentation to the Town Council.

The Town reserves the right to retain all proposals submitted, and to use any ideas in a proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the firm of the conditions contained in this CSP, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the Town and the firm selected. All proposals submitted will remain valid for a period of 90 days subsequent to the CSP due date.

**SC.05 SPECIFICATIONS:** Proposal must meet or exceed the specifications and requirements herein, in order to be considered.

**SC06 SUBMITTALS:** In order for your proposal to be considered responsive, the following information must be submitted:

A. Qualifications and Experience

- 1) Outline contractor and subcontractor experience with similar projects, and label as **Attachment A1**.
- 2) Submit resumes for key personnel that will be assigned to the project (executive and management team, as well as on-site project manager) and label as **Attachment A2**.
- 3) Complete and submit the Completed Projects and References Worksheet and label as **Attachment A3**.
- 4) Submit a copy of an actual project schedule used during construction and label as **Attachment A4**.

B. Pricing

You should respond to all Bid Lines listed for this project as follows:

- 1) For online submissions, please submit pricing for all Bid Lines.
- 2) For hard copy submissions, you must print and complete the Bid Lines and submit it with your proposal.
- 3) The Town is exempt from paying Texas State or local sales and use taxes. Please ensure the prices proposed do not include taxes.

C. Bid Proposal Conditions (Bid Attributes)

- 1) For online submissions, you must select "I Agree", or provide the requested information for each Bid Attribute.
- 2) For hard copy submissions, you must complete and print the Bid Attributes section and submit it with your proposal.

D. Supplier Information

- 1) For hard copy submissions, you must complete and print the Supplier Information section and submit it with your proposal.

**SC.07 EVALUATION CRITERIA:** A review committee will evaluate submissions received in accordance with the general criteria defined herein. Failure of respondents to provide in their submission any information requested in this CSP may result in disqualification of the submission. The objective of the review committee will be to select the Proposal that provides the best value to the Town. The decision made by the Town of Prosper will be final. The agreement will be awarded based on the following evaluation criteria:

- A. Qualifications and Experience (30%)
- B. Proposed Project Timeline (20%)
- C. Cost Proposal (50%)

**SC.08 INTERVIEWS AND PRESENTATIONS:** In fairness to all firms, requests for interviews prior to the closing time and date will not be permitted. Interviews with selected firms may or may not be requested by the Town after the closing date. Selection may be made strictly from the information provided in the Proposal. However, the Town reserves the right to conduct interviews with and request presentations from any respondents.

**SC.09 SELECTION AND AWARD:** If the Town is unable to reach an agreement with the first-ranked Contractor, the Town shall terminate further discussions with the first-ranked Contractor, and commence negotiations with the next-ranked Contractor, in the order of the selection ranking until an agreement is reached, or all Proposals are rejected. Time is of the essence, and the award of the contract to the successful Contractor is expressly conditioned upon (1) the Contractor's execution and delivery of the Contract, and delivery of all required bonds and evidence of insurance, within ten (10) calendar days after the Contractor is notified of the acceptance of its Proposal, and (ii) the Contractor's timely fulfillment of any and all other preconditions expressly set forth in the Contract Documents. Should the Contractor fail to timely execute and deliver the contract, required bonds, evidence of insurance, or fail to timely fulfill any other such preconditions, the Town may, at its option and discretion, without releasing, impairing or affecting its right to receive the Proposal security as damages for such failure, rescind the award, commence negotiations with the next ranked Contractor, or may reject all Proposals.

There will be no contractual obligation on the part of the Town to any Contractor, nor will any firm have any property interest or other right in the contract or work being proposed, unless and until the Agreement is unconditionally executed and delivered by all parties, all submittals required by the Proposal Documents and Agreement and all conditions to be fulfilled by the selected firm have either been so fulfilled by the firm, or waived in writing by the firm or Town, as applicable.

**SC.10 SUBMISSION OR DELIVERY OF PROPOSAL:** Proposals for the construction services specified will be received online, or in hard copy. The date/time stamp located in the Purchasing Office serves as the official time clock. Late Submissions will not be considered. Submissions received after the stated deadline shall be refused and returned unopened. The Town of Prosper is not responsible for issues encountered with methods of delivery.

- A. Online Submission

Proposals may be submitted online through IonWave.net, the Town's e-procurement system. Please ensure that you provide all required information, including attachments. Any additional response attachments must be uploaded and included with your submission in order to be considered.

- B. Mailed/Delivered Submission

Proposals must be submitted with the CSP number and the respondent's name and address clearly indicated on the front of the envelope. Please submit one (1) unbound original and one (1) copy of your proposal, in a sealed envelope or package to the address listed below:

**CSP NO: 2021-04-B  
WEST PROSPER ROADS, SEGMENT A GEE ROAD LANDSCAPE ARCHITECTURE**

**Delivery Address:**

Town of Prosper  
Attn: Purchasing Manager  
250 W. First St.  
3<sup>rd</sup> Floor Finance Suite  
Prosper, Texas 75078

**Mailing Address (US Postal Service Only):**

Town of Prosper  
Attn: Purchasing Manager  
P.O. Box 307  
Prosper, Texas 75078

## **TECHNICAL SPECIFICATIONS**

**TS.01: GENERAL:** Please reference the Construction Plans for all other technical specifications not contained herein.



## 2021-04-B

### American Landscape Systems Supplier Response

#### Event Information

Number: 2021-04-B  
Title: West Prosper Roads, Segment A Gee Road Landscape Architecture  
Type: Competitive Sealed Proposals  
Issue Date: 9/17/2020  
Deadline: 10/8/2020 02:00 PM (CT)  
Notes: **ENGINEER'S ESTIMATE: \$134,000**

The Town of Prosper is accepting competitive sealed proposals for CSP NO. 2021-04-B WEST PROSPER ROADS, SEGMENT A GEE ROAD LANDSCAPE ARCHITECTURE. Proposals will be accepted online through IonWave.net, the Town's e-procurement system, or in hard copy in the Purchasing Office located in the 3rd Floor Finance Suite of Town Hall, 250 W. First St., Prosper, Texas 75078 until 2:00 P.M. on Thursday, October 8, 2020. Any proposals received after this time will not be accepted, and will be returned unopened. The proposal opening will be held online on Thursday, October 8, 2020 @ 2:30 P.M. To participate in the proposal opening, please use the following:

Join Zoom Meeting: <https://us02web.zoom.us/j/81724127999>

Meeting ID: 817 2412 7999

Dial-in any of these numbers: +1 929 436 2866, +1 312 626 6799, +1 669 900 6833, +1 253 215 8782, +1 301 715 8592 or +1 346 248 7799

The Project consists of furnishing all labor, equipment and materials (except as otherwise specified), and performing all work necessary for the construction of hardscape, landscape, irrigation, stamped and stained concrete median noses for two medians on Gee Road.

Attachment 3

Item 5.

Each proposal submitted shall be accompanied by a cashier's check in the amount of 5% of the maximum amount proposed, payable without recourse to the Town of Prosper, or a Bid Bond in the same amount from a reliable surety company as a guarantee that, if awarded the contract, the successful Contractor will execute a Construction Agreement with the Town, including all required bonds and other documents.

The successful Contractor shall furnish a Performance Bond in the amount of 115% of the contract amount, and a Payment Bond in the amount of 100% of the contract amount, as well as evidence of all required insurance coverage within ten (10) calendar days of notice of award. The successful Contractor shall also furnish a Maintenance Bond in the amount of 100% of the contract amount covering defects of material and workmanship for two calendar years following the Town's approval and acceptance of the construction. An approved surety company, licensed in the State of Texas, shall issue all bonds in accordance with Texas law.

Copies of Plans, Specifications, and Contract Documents may be examined at Town of Prosper Engineering Department, 250 W. First Street, Prosper, Texas, 75078, Phone: (972) 569-1198 without charge. These documents may be acquired from that office for the non-refundable purchase price of \$50 per set, payable to the Town of Prosper. Copies of Plans, Specifications, and Contract Documents may also be downloaded free of charge from Current Bidding Opportunities, at the following link:  
<http://www.prospertx.gov/business/bid-opportunities/>.

Questions and requests for clarifications in regards to this proposal should be submitted in writing through IonWave.net, the Town's e-procurement system, or emailed directly to January Cook, CPPO, CPPB, Purchasing Manager, at [jcook@prospertx.gov](mailto:jcook@prospertx.gov). The deadline for receipt of questions and requests for clarifications is 12:00 P.M. on Wednesday, September 30, 2020. After that day and time, no further questions or requests for clarifications will be accepted or answered by the Engineer or Town.

If you are downloading plans, please complete and submit the Planholder Registration Form to be included on the official Planholder List.

## Contact Information

Contact: January Cook Purchasing Manager

Address: Purchasing Office  
Town Hall  
3rd Floor  
250 W. First St.  
P.O. Box 307  
Prosper, TX 75078  
Phone: (972) 569-1018  
Email: jcook@prospertx.gov

Attachment 3

Item 5.



# American Landscape Systems Information

Attachment 3

Item 5.

Contact: Aaron Jaska  
Address: 1780 Midway Road  
Lewisville, TX 75056  
Phone: (469) 521-2200  
Email: amj@americanlandscapesystems.com

By submitting your response, you certify that you are authorized to represent and bind your company.

Aaron Jaska

Signature

Submitted at 10/8/2020 1:50:45 PM

amj@americanlandscapesystems.com

Email

## Requested Attachments

### Bid Bond

ALS bb 10-08-2020.pdf

### Attachment A1

CIP Completed Projects and References Worksheet 5-7-20 - Fillable.pdf

Contractor and Subcontractor Experience with Similar Projects

### Attachment A2

Project Staff.pdf

Qualifications of Key Personnel

### Attachment A3

CIP Completed Projects and References Worksheet 5-7-20 - Fillable.pdf

Completed Projects and References Worksheet

### Attachment A4

Project Schedule REVISED.pdf

Copy of an actual project schedule used during same or similar construction project

### Conflict of Interest Questionnaire

No response

Only if applicable

### Out of State Contractor Compliance Form

No response

Only if applicable

## Response Attachments

### 1008201A-Gee Road ALS Proposal 10.08.20.pdf

Proposal on company letterhead with all exclusions and pricing breakdown

## Bid Attributes

1

### Bid Proposal Condition No. 1

The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an agreement with Owner in the form included in the Contract Documents to perform and furnish all Work as specified or indicated in the Contract Documents for the Contract Price and within the Contract Time indicated in this Bid and in accordance with the other terms and conditions of the Contract Documents.

I Agree

**2 Bid Proposal Condition No. 2**

Bidder accepts all of the terms and conditions of the Advertisement or Invitation to Bid and Instructions to Bidders, including without limitation those terms and conditions dealing with the disposition of Bid guaranty. This Bid will remain subject to acceptance for 90 calendar days after the day of opening Bids. Bidder will sign and submit the Agreement with the Bonds and other documents required by the Contract Documents within ten (10) calendar days after the date of Owner's Notice of Award.

I Agree

**3 Bid Proposal Condition No. 3**

The right is reserved, as the interest of the Owner may require, to reject any and all Bids and to waive any informality in the Bids received.

I Agree

**4 Bid Proposal Condition No. 4**

Bidder has familiarized itself with the nature and extent of the Contract Documents, Work, site, locality, and all local conditions and Laws and Regulations that in any manner may affect cost, progress, performance or furnishing of the Work.

I Agree

**5 Bid Proposal Condition No. 5**

Bidder has obtained and carefully studied (or assumes responsibility for obtaining and carefully studying) all such examinations, investigations, explorations, tests and studies that pertain to the subsurface or physical conditions at the site or which otherwise may affect the cost, progress, performance or furnishing of the Work as Bidder considers necessary for the performance or furnishing of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents, and no additional examinations, investigations, explorations, tests, reports or similar information or data are or will be required by Bidder for such purposes.

I Agree

**6 Bid Proposal Condition No. 6**

Bidder has reviewed and checked all information and data shown or indicated on the Contract Documents with respect to existing Underground Facilities at or contiguous to the site and assumes responsibility for the accurate location of said Underground Facilities. No additional examinations, investigations, explorations, tests, reports or similar information or data in respect of said Underground Facilities are or will be required by the Bidder in order to perform and furnish the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents.

I Agree

**7 Bid Proposal Condition No. 7**

Bidder has correlated the results of all such observations, examinations, investigations, explorations, tests, reports and studies with the terms and conditions of the Contract Documents.

I Agree

**8 Bid Proposal Condition No. 8**

Bidder has given Engineer written notice of all conflicts, errors or discrepancies that it has discovered, if any, in the Contract Documents and the written resolution thereof by Engineer is acceptable to Bidder.

I Agree

**9 Bid Proposal Condition No. 9** Attachment 3 Item 5.

This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any person, firm or corporation to refrain from submitting a Bid; and Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over Owner.

I Agree

**10 Bid Proposal Condition No. 10**

Bidder will substantially complete the Work for the price(s) shown in the schedule of bid items within **the number of calendar days proposed, based on date of Notice to Proceed.**

I Agree

**11 Bid Proposal Condition No. 11**

Bidder hereby agrees to commence work within ten (10) days after the date written notice to proceed shall have been given to him, and to substantially complete the work on which he has bid within **the number of calendar days proposed** as part of this Proposal. Within the number of additional calendar days proposed after Substantial Completion, all outstanding issues shall be addressed and ready for final payment. All such time restrictions are subject to such extensions of time as are provided by the General Provisions and Special Conditions.

I Agree

**12 Bid Proposal Condition No. 12**

Bidder agrees that the implementation of the Owner's right to delete any portion of the improvements shall not be considered as waiving or invalidating any conditions or provisions of the contract or bonds. Bidder shall perform the Work as altered and no allowances shall be made for anticipated profits.

I Agree

**13 Bid Proposal Condition No. 13**

Since the Work on this Project is being performed for a governmental body and function, the Owner will issue to the Contractor a certificate of exemption for payment for the State Sales TAX on materials incorporated into this Project if requested.

I Agree

**14 Bid Proposal Condition No. 14**

In the event of the award of a contract, vendor will furnish a Performance Bond for 115% of the contract amount, and a Payment Bond for 100% of the contract amount, to secure proper compliance with the terms and provisions of the contract with sureties offered by **surety company named in the space provided**, to insure and guarantee the work until final completion and acceptance, and to guarantee payment of all lawful claims for labor performed and materials furnished in the fulfillment of the contract. **In addition, the undersigned will furnish a Maintenance Bond for 100% of the contract amount covering defects of material and workmanship for two calendar years following the Owner's approval and acceptance of the construction.**

I Agree

**15 Bid Proposal Condition No. 15**

The work, proposed to be done, shall be accepted when fully completed in accordance with the plans and specifications, to the satisfaction of the Engineer and the Owner.

I Agree

|                |  |  |
|----------------|--|--|
| <b>1<br/>6</b> | <b>Bid Proposal Condition No. 16</b><br>The vendor submitting this Bid certifies that the bid prices contained in this Bid have been carefully checked and are submitted as correct and final.<br><input type="text" value="I Agree"/> | Attachment 3<br><div style="border: 1px solid black; padding: 2px; display: inline-block;">Item 5.</div> |
|----------------|--|--|

|                |   |
|----------------|---|
| <b>1<br/>7</b> | <b>Base Bid</b><br>Cost of Materials<br><input type="text" value="\$110162.8"/> |
|----------------|---|

|                |  |
|----------------|--|
| <b>1<br/>8</b> | <b>Base Bid</b><br>Cost of Labor, Profit, etc.<br><input type="text" value="\$73441.9"/> |
|----------------|--|

|                |  |
|----------------|--|
| <b>1<br/>9</b> | <b>Addendum No. 1</b><br>Bidder has examined copies of all the Contract Documents and of the following Addenda (if issued)<br><input type="text" value="No response"/> |
|----------------|--|

|                |  |
|----------------|--|
| <b>2<br/>0</b> | <b>Addendum No. 2</b><br>Bidder has examined copies of all the Contract Documents and of the following Addenda (if issued)<br><input type="text" value="No response"/> |
|----------------|--|

|                |  |
|----------------|--|
| <b>2<br/>1</b> | <b>Addendum No. 3</b><br>Bidder has examined copies of all the Contract Documents and of the following Addenda (if issued)<br><input type="text" value="No response"/> |
|----------------|--|

|                |  |
|----------------|--|
| <b>2<br/>2</b> | <b>Addendum No. 4</b><br>Bidder has examined copies of all the Contract Documents and of the following Addenda (if issued)<br><input type="text" value="No response"/> |
|----------------|--|

|                |  |
|----------------|--|
| <b>2<br/>3</b> | <b>Addendum No. 5</b><br>Bidder has examined copies of all the Contract Documents and of the following Addenda (if issued)<br><input type="text" value="No response"/> |
|----------------|--|

|                |   |
|----------------|---|
| <b>2<br/>4</b> | <b>Subcontractor 1 - Name</b><br>Each Bidder shall include a list of proposed subcontractors, the type of work to be completed by each such subcontractor and the approximate percentage of contract labor to be completed by each subcontractor. If complete listing of subcontracts totals more than five, please attach such additional pages as may be required. Owner reserves the right to accept or reject any subcontracts and/or amount subcontracted that it deems to be objectionable.<br><input type="text" value="Tactical Demolition"/> |
|----------------|---|

|                |  |
|----------------|--|
| <b>2<br/>5</b> | <b>Subcontractor 1 - Type of Work</b><br><input type="text" value="Concrete and asphalt removal"/> |
|----------------|--|

|                |   |
|----------------|---|
| <b>2<br/>6</b> | <b>Subcontractor 1 - % of Work</b><br><input type="text" value="1%"/> |
|----------------|---|

|    |                               |   |         |
|----|-------------------------------|---|---------|
| 27 | <b>Subcontractor 2 - Name</b> | Attachment 3  | Item 5. |
|    |                               | <input type="text" value="Orta Constrution, Inc."/> |         |

|    |  |
|----|--|
| 28 | <b>Subcontractor 2 - Type of Work</b>  |
|    | <input type="text" value="Concrete road pavement, stamped concrete, and mow strip"/> |

|    |                                    |
|----|------------------------------------|
| 29 | <b>Subcontractor 2 - % of Work</b> |
|    | <input type="text" value="20%"/>   |

|    |  |
|----|--|
| 30 | <b>Subcontractor 3 - Name</b>            |
|    | <input type="text" value="No response"/> |

|    |  |
|----|--|
| 31 | <b>Subcontractor 3 - Type of Work</b>    |
|    | <input type="text" value="No response"/> |

|    |  |
|----|--|
| 32 | <b>Subcontractor 3 - % of Work</b>       |
|    | <input type="text" value="No response"/> |

|    |  |
|----|--|
| 33 | <b>Subcontractor 4 - Name</b>            |
|    | <input type="text" value="No response"/> |

|    |  |
|----|--|
| 34 | <b>Subcontractor 4 - Type of Work</b>    |
|    | <input type="text" value="No response"/> |

|    |  |
|----|--|
| 35 | <b>Subcontractor 4 - % of Work</b>       |
|    | <input type="text" value="No response"/> |

|    |  |
|----|--|
| 36 | <b>Subcontractor 5 - Name</b>            |
|    | <input type="text" value="No response"/> |

|    |  |
|----|--|
| 37 | <b>Subcontractor 5 - Type of Work</b>    |
|    | <input type="text" value="No response"/> |

|    |  |
|----|--|
| 38 | <b>Subcontractor 5 - % of Work</b>       |
|    | <input type="text" value="No response"/> |

|    |  |
|----|--|
| 39 | <b>Supplier 1 - Name</b>   |
|    | Each Bidder shall include a list of proposed suppliers of major materials and equipment to be furnished and installed in connection with this Bid. If complete listing of suppliers totals more than five, please attach such additional pages as may be required. |
|    | <input type="text" value="Twin Lakes Nursery"/>  |

|    |  |
|----|--|
| 40 | <b>Supplier 1 - Type of Material/Equipment</b> |
|    | <input type="text" value="Trees"/>             |

|    |  |
|----|--|
| 41 | <b>Supplier 2 - Name</b>                         |
|    | <input type="text" value="Tawakoni Plant Farm"/> |

|        |   |              |         |
|--------|---|--------------|---------|
| 4<br>2 | <b>Supplier 2 - Type of Material/Equipment</b>  | Attachment 3 | Item 5. |
|        | <input type="text" value="Shrubs"/>   |              |         |
| 4<br>3 | <b>Supplier 3 - Name</b>  |              |         |
|        | <input type="text" value="King Ranch Turfgrass"/>   |              |         |
| 4<br>4 | <b>Supplier 3 - Type of Material/Equipment</b>  |              |         |
|        | <input type="text" value="Sod"/>  |              |         |
| 4<br>5 | <b>Supplier 4 - Name</b>  |              |         |
|        | <input type="text" value="SiteOne Landscape Supply"/>   |              |         |
| 4<br>6 | <b>Supplier 4 - Type of Material/Equipment</b>  |              |         |
|        | <input type="text" value="Irrigation"/>   |              |         |
| 4<br>7 | <b>Supplier 5 - Name</b>  |              |         |
|        | <input type="text" value="DFW Stone Supply"/>   |              |         |
| 4<br>8 | <b>Supplier 5 - Type of Material/Equipment</b>  |              |         |
|        | <input type="text" value="Gravel and Boulders"/>  |              |         |
| 4<br>9 | <b>Project Timeline: Substantial Completion</b>   |              |         |
|        | Provide number of calendar days to reach substantial completion of all construction                                   |              |         |
|        | <input type="text" value="60"/>   |              |         |
| 5<br>0 | <b>Project Timeline: Final Completion</b>   |              |         |
|        | Provide number of additional calendar days after substantial completion to reach final completion of all construction |              |         |
|        | <input type="text" value="10"/>   |              |         |

## Bid Lines

|   |   |   |  |
|---|---|---|--|
| 1 | <b>Package Header</b>   |   |  |
|   | Section 1: Base Bid West Prosper Roads, Segment A Gee Road Landscape Architecture |   |  |
|   | Quantity: <u>  1  </u>  | Total:  | <input type="text" value="\$183,604.70"/>      |
|   | <b>Package Items</b>  |   |  |
|   | <b>1.1 Full Depth Sawcut Existing Concrete</b>                                    |   |  |
|   | Quantity: <u>  28  </u> UOM: <u>  LF  </u>  | Unit Price: <input type="text" value="\$20.00"/>  | Total: <input type="text" value="\$560.00"/>   |
|   | <b>1.2 Remove Existing Concrete</b>   |   |  |
|   | Quantity: <u>  4  </u> UOM: <u>  SY  </u>   | Unit Price: <input type="text" value="\$30.00"/>  | Total: <input type="text" value="\$120.00"/>   |
|   | <b>1.3 Remove Existing Asphalt</b>  |   |  |
|   | Quantity: <u>  11  </u> UOM: <u>  SY  </u>  | Unit Price: <input type="text" value="\$30.00"/>  | Total: <input type="text" value="\$330.00"/>   |
|   | <b>1.4 Concrete Road Pavement with Integral Curb</b>                              |   |  |
|   | Quantity: <u>  14  </u> UOM: <u>  SY  </u>  | Unit Price: <input type="text" value="\$155.00"/> | Total: <input type="text" value="\$2,170.00"/> |

**1.5 Lime Stabilized Subgrade**Quantity: 29 UOM: SYUnit Price: Total: 

Attachment 3

Item 5.

**1.6 Lime**Quantity: 1.07 UOM: TONUnit Price: Total: **1.7 Dowelled Curb**Quantity: 41 UOM: LFUnit Price: Total: **1.8 Connect to Existing Concrete**Quantity: 28 UOM: LFUnit Price: Total: **1.9 Concrete Mow Strip**Quantity: 544 UOM: SFUnit Price: Total: **1.10 Stamped Concrete Median Nosing**Quantity: 1151 UOM: SFUnit Price: Total: **1.11 Concrete Maintenance Ramp**Quantity: 2 UOM: EAUnit Price: Total: **1.12 Colorado River Rock**Quantity: 293 UOM: SFUnit Price: Total: **1.13 Landscape Boulders (Decorative)**Quantity: 4 UOM: TONUnit Price: Total: **1.14 Electrical Conduit**Quantity: 669 UOM: LFUnit Price: Total: **1.15 Trees - Large Canopy**Quantity: 9 UOM: EAUnit Price: Total: **1.16 Shrubs and Groundcover**Quantity: 3739 UOM: SFUnit Price: Total: **1.17 Common Bermuda**Quantity: 18744 UOM: SFUnit Price: Total: **1.18 Irrigation - Permanent Shrub**Quantity: 3739 UOM: SFUnit Price: Total: **1.19 Irrigation - Tree Bubblers**Quantity: 18 UOM: EAUnit Price: Total: **1.20 Irrigation - Turf**Quantity: 18744 UOM: SFUnit Price: Total: **1.21 Irrigation - Components**Quantity: 10000 UOM: LSUnit Price: Total: **1.22 Fine Grading**Quantity: 22483 UOM: SFUnit Price: Total: **1.23 Bed Prep**Quantity: 3739 UOM: SFUnit Price: Total:

1.24 Hardwood Mulch

Attachment 3

Item 5.

Quantity: 3739 UOM: SF

Unit Price: \$0.75

Total: \$2,804.25

**Response Total: \$183,604.70**



## BID BOND

STATE OF TEXAS        )  
  )  
COUNTY OF COLLIN    )

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, American Landscape Systems, inc., whose address is 1780 Midway Rd., Lewisville, TX 75056, hereinafter called Principal, and FCCI Insurance Company, a corporation organized and existing under the laws of the State of Florida, and fully licensed to transact business in the State of Texas, as Surety, are held and firmly bound unto the Town of Prosper, a home-rule municipal corporation organized and existing under the laws of the State of Texas, hereinafter referred to as "Owner," in the penal sum of \$5% GAB as the proper measure of liquidated damages arising out of or connected with the submission of a Bid Proposal for the construction of a public work project, in lawful money of the United States, to be paid in Collin County, Texas, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors jointly and severally, firmly by these presents. The condition of the above obligation is such that whereas the Principal has submitted to Owner a certain Bid Proposal, attached hereto and hereby made a part hereof, to enter into a contract in writing, for the construction of:

### CSP NO. 2021-04-B WEST PROSPER ROADS, SEGMENT A GEE ROAD LANDSCAPE ARCHITECTURE

NOW, THEREFORE, if the Principal's Proposal shall be rejected or, in the alternative, if the Principal's Proposal shall be accepted and the Principal shall execute and deliver a contract in the form of the Contract attached hereto (properly completed in accordance with said Proposal) and shall furnish performance, payment and maintenance bonds required by the Contract Documents for the Project and provide proof of all required insurance coverages for the Project and shall in all other respects perform the agreement created by the acceptance of said Proposal, then this obligation shall be void, otherwise the same shall remain in force and affect; it being expressly understood and agreed that the liability of the Surety for any breach of condition hereunder shall be in the face amount of this bond and forfeited as a proper measure of liquidated damages.


PROVIDED FURTHER, that if any legal action were filed on this Bond, exclusive Venue shall lie in Collin County, Texas.

AND PROVIDED FURTHER, the Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no way impaired or affected by an extension of the time within which the Owner may accept such Proposal; and said Surety does hereby waive notice of any such extension.

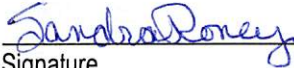
The undersigned and designated agent is hereby designated by the Surety herein as the Resident Agent in Collin County or Dallas County to whom any requisite notices may be delivered and on whom service of process may be had in matters arising out of such suretyship, as provided by Article 7.19-1 of the Insurance Code, Vernon's Annotated Civil Statutes of the State of Texas.

IN WITNESS WHEREOF, this instrument is executed and shall be deemed an original, this, the 8th day of October, 2020.


## ATTEST:

By:   
 Signature  
 Aaron Jaska  
 Typed/Printed Name  
 Estimating Manager  
 Title  
 1780 Midway Rd.  
 Address  
 Lewisville TX 75056  
 City State Zip  
 469-521-2200 469-521-2206  
 Phone Fax

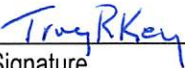
## ATTEST:

By:   
 Signature  
 Sandra Roney  
 Printed Name  
 Agency Representative  
 Title  
 5057 Keller Springs Rd., Suite 400  
 Address  
 Addison TX 75001  
 City State Zip  
 972-201-0100 972-201-0123  
 Phone Fax

## PRINCIPAL:

American Landscape Systems, Inc.  
 Company Name  
 By:   
 Signature  
 Joseph Anglone  
 Typed/Printed Name  
 Vice President  
 Title  
 1780 Midway Rd.  
 Address  
 Lewisville TX 75056  
 City State Zip  
 469-521-2200 469-521-2206  
 Phone Fax

## SURETY:

By:   
 Signature  
 Troy Russell Key  
 Printed Name  
 Attorney in Fact  
 Title  
 6300 University Parkway,  
 Address  
 Sarasota FL 34240  
 City State Zip  
 800-226-3224  
 Phone Fax

The Resident Agent of the Surety in Collin County or Dallas County, Texas, for delivery of notice and service of the process is:

NAME: Troy R. Key, Mullis Newby Hurst  
 STREET ADDRESS: 5057 Keller Springs Rd., Suite 400  
 CITY, STATE, ZIP: Addison, TX 75001

**NOTE:** If Resident Agent is not a corporation, give a person's name.



## GENERAL POWER OF ATTORNEY

Know all men by these presents: That the FCCI Insurance Company, a Corporation organized and existing under the laws of the State of Florida (the "Corporation") does make, constitute and appoint:

John William Newby; Debra Lee Moon; Andrea Rose Crawford; Troy Russell Key; Sandra Lee Roney;  
Suzanne Elizabeth Niedzwiedz; Cheri Lynn Irby; Joshua D. Tritt

Each, its true and lawful Attorney-In-Fact, to make, execute, seal and deliver, for and on its behalf as surety, and as its act and deed in all bonds and undertakings provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed the sum of (not to exceed \$10,000,000.00): \$10,000,000.00

This Power of Attorney is made and executed by authority of a Resolution adopted by the Board of Directors. That resolution also authorized any further action by the officers of the Company necessary to effect such transaction.

The signatures below and the seal of the Corporation may be affixed by facsimile, and any such facsimile signatures or facsimile seal shall be binding upon the Corporation when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached.

In witness whereof, the FCCI Insurance Company has caused these presents to be signed by its duly authorized officers and its corporate Seal to be hereunto affixed, this 23rd day of July, 2020.

Attest:

Christina D. Welch, President  
FCCI Insurance Company



Christopher Shoucair,  
EVP, CFO, Treasurer, Secretary  
FCCI Insurance Company

State of Florida  
County of Sarasota

Before me this day personally appeared Christina D. Welch, who is personally known to me and who executed the foregoing document for the purposes expressed therein.

My commission expires: 2/27/2023



Notary Public

State of Florida  
County of Sarasota

Before me this day personally appeared Christina D. Welch, who is personally known to me and who executed the foregoing document for the purposes expressed therein.

My commission expires: 2/27/2023



Notary Public

## CERTIFICATE

I, the undersigned Secretary of FCCI Insurance Company, a Florida Corporation, DO HEREBY CERTIFY that the foregoing Power of Attorney remains in full force and has not been revoked; and furthermore that the February 27, 2020 Resolution of the Board of Directors, referenced in said Power of Attorney, is now in force.

Dated this 8th day of October, 2020

Christopher Shoucair, EVP, CFO, Treasurer, Secretary  
FCCI Insurance Company



## IMPORTANT NOTICE

To obtain information or make a complaint:

You may call FCCI Insurance Group's (FCCI)\* toll-free telephone number for information or to make a complaint at 1-800-226-3224.

You may also write to FCCI Insurance Group Compliance Department e-mail at [StateComplaints@fcci-group.com](mailto:StateComplaints@fcci-group.com).

For Claims, you may write to FCCI Insurance Group Claim Department e-mail at [newclaim@fcci-group.com](mailto:newclaim@fcci-group.com).

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at 1-800-252-3439.

You may write the Texas Department of Insurance:

PO Box 149104

Austin TX 78714-9104

Fax: 1-512-475- 1771

Web: <http://www.tdi.state.tx.us>

E-mail: [ConsumerProtection@tdi.state.tx.us](mailto:ConsumerProtection@tdi.state.tx.us)

### PREMIUM OR CLAIM DISPUTES

Should you have a dispute concerning your premium or about a claim you should contact FCCI first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

### ATTACH THIS NOTICE TO YOUR BOND

This notice is for information only and does not become a part or condition of the attached documents.

\*The FCCI Insurance Group includes the following insurance carriers: Brierfield Insurance Company, FCCI Advantage Insurance Company, FCCI Commercial Insurance Company, FCCI Insurance Company, Monroe Guaranty Insurance Company, and National Trust Insurance Company.

**PLANNING**

**To:** Mayor and Town Council

**From:** Alex Glushko, AICP, Planning Manager

**Through:** Harlan Jefferson, Town Manager  
Rebecca Zook, P.E., Executive Director of Development & Infrastructure Services

**Re:** Town Council Meeting – October 27, 2020

---

**Agenda Item:**

Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the Town Council to the Development Services Department, pursuant to Chapter 4, Section 1.5(C)(7) and 1.6(B)(7) of the Town's Zoning Ordinance, regarding action taken by the Planning & Zoning Commission on any Site Plan or Preliminary Site Plan.

**Description of Agenda Item:**

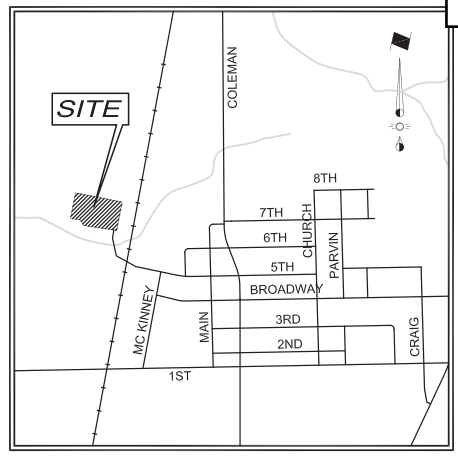
Attached is the Site Plan that was acted on by the Planning & Zoning Commission at their October 20, 2020, meeting. Per the Zoning Ordinance, the Town Council has the ability to direct staff to submit a written notice of appeal on behalf of the Town Council to the Development Services Department for any Preliminary Site Plan or Site Plan acted on by the Planning & Zoning Commission.

**Attached Documents:**

1. Site Plan for Public Works Temporary Building

**Town Staff Recommendation:**

Town staff recommends the Town Council take no action on this item.

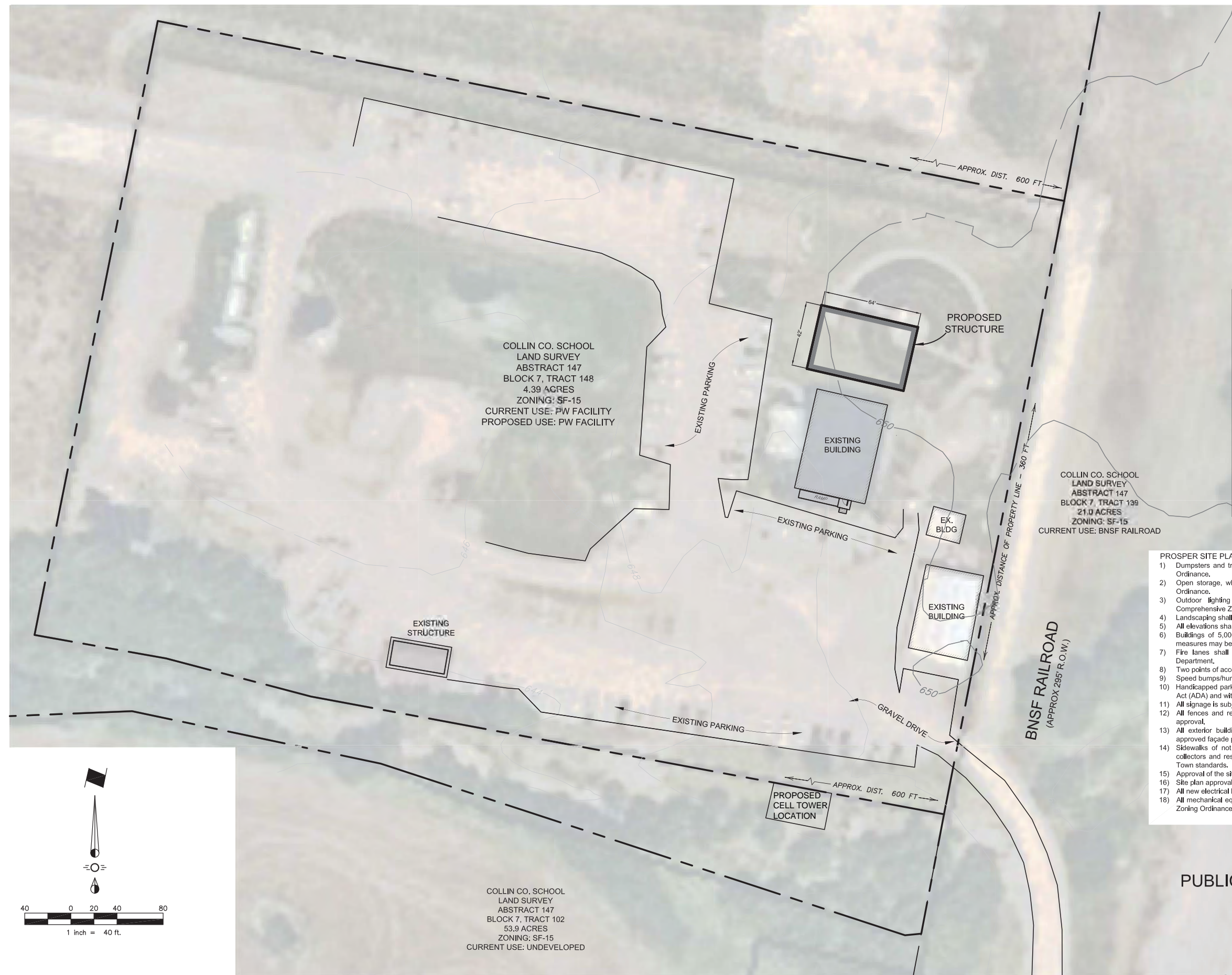


LOCATION MAP NOT TO SCALE

**SITE DATA SUMMARY**

1. ZONING: SINGLE FAMILY-15 DISTRICT (SF-15)
2. PROPOSED USE: PUBLIC WORKS FACILITIES
3. LOT AREA: 4,390 ACRES
4. BUILDING AREA: new ~2,688 SF / total ~9,488 SF
5. BUILDING HEIGHT: ~20 FT
6. LOT COVERAGE: 5.0%%
7. FLOOR AREA RATIO: 0.05
8. TOTAL PARKING REQUIRED: 10 (1 SPACE PER 1000 SF GFA)
9. TOTAL PARKING PROVIDED: 50 (INCL 2 H.C. PARKING)
10. INTERIOR LANDSCAPING REQUIRED: N/A
11. INTERIOR LANDSCAPING PROVIDED: N/A
12. SQ. FOOTAGE OF IMPERVIOUS SURFACE: ~24,000 SF
13. OPEN SPACE REQUIRED: 191,228 X 7% = 13,386 SF
14. OPEN SPACE PROVIDED: ~15,000 SF

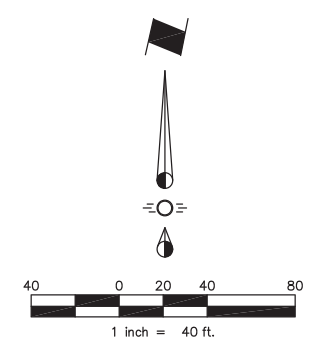
- PROSPER SITE PLAN NOTES**
- 1) Dumpsters and trash compactors shall be screened in accordance with the Comprehensive Zoning Ordinance.
  - 2) Open storage, where permitted, shall be screened in accordance with the Comprehensive Zoning Ordinance.
  - 3) Outdoor lighting shall comply with the lighting and glare standards contained within the Comprehensive Zoning Ordinance and Subdivision Regulation Ordinance.
  - 4) Landscaping shall conform to landscape plans approved by the town.
  - 5) All elevations shall comply with the standards contained within the Comprehensive Zoning Ordinance.
  - 6) Buildings of 5,000 square feet or greater shall be 100% fire sprinkled. Alternative fire protection measures may be approved by the Fire Department.
  - 7) Fire lanes shall be designed and constructed per town standards or as directed by the Fire Department.
  - 8) Two points of access shall be maintained for the property at all times.
  - 9) Speed bumps/humps are not permitted within a fire lane.
  - 10) Handicapped parking areas and building accessibility shall conform to the Americans with Disabilities Act (ADA) and with the requirements of the current, adopted Building Code.
  - 11) All signage is subject to Building Official approval.
  - 12) All fences and retaining walls shall be shown on the site plan and are subject to Building Official approval.
  - 13) All exterior building materials are subject to Building Official approval and shall conform to the approved façade plan.
  - 14) Sidewalks of not less than six (6') feet in width along thoroughfares and five (5') in width along collectors and residential streets, and barrier free ramps at all curb crossings shall be provided per Town standards.
  - 15) Approval of the site plan in not final until all engineering plans are approved by the Town Engineer.
  - 16) Site plan approval is required prior to grading release.
  - 17) All new electrical lines shall be installed and/or relocated underground.
  - 18) All mechanical equipment shall be screened from public view in accordance with the Comprehensive Zoning Ordinance.



COLLIN CO. SCHOOL  
LAND SURVEY  
ABSTRACT 147  
BLOCK 7, TRACT 148  
4.39 ACRES  
ZONING: SF-15  
CURRENT USE: PW FACILITY  
PROPOSED USE: PW FACILITY

COLLIN CO. SCHOOL  
LAND SURVEY  
ABSTRACT 147  
BLOCK 7, TRACT 139  
21.0 ACRES  
ZONING: SF-15  
CURRENT USE: BNSF RAILROAD

COLLIN CO. SCHOOL  
LAND SURVEY  
ABSTRACT 147  
BLOCK 7, TRACT 102  
53.9 ACRES  
ZONING: SF-15  
CURRENT USE: UNDEVELOPED



Case Number D20-0083  
**SITE PLAN**  
FOR  
**PUBLIC WORKS BLDG IMPROVEMENTS**  
601 E. 5TH ST  
PROSPER, TEXAS 75078  
COLLIN CO. SCHOOL LAND SURVEY  
ABSTRACT 147  
4.390 ACRE TRACT  
TOWN OF PROSPER, COLLIN COUNTY, TEXAS

10/13/2020 8:03AM  
 P:\Projects\2020\2020\_PWS\_Plan\2020\_PWS\_Plan.dwg  
 User: jkennedy  
 Plot: 2020\_PWS\_Plan.dwg  
 Plot Date: 10/13/2020 8:03AM  
 Plot Time: 10:13:00 AM  
 Plot User: jkennedy

## PLANNING



**To: Mayor and Town Council**

**From: Alex Glushko, AICP, Planning Manager**

**Through: Harlan Jefferson, Town Manager  
Rebecca Zook, P.E., Executive Director of Development & Infrastructure Services**

**Re: Town Council Meeting – October 27, 2020**

---

**Agenda Item:**

Conduct a Public Hearing and consider and act upon an ordinance administratively updating the Planning Context, Community Character, and Transportation chapters of the Comprehensive Plan, and updating the base maps of the Comprehensive Plan. (CA20-0002).

**Description of Agenda Item:**

The Comprehensive Plan was adopted by Town Council on August 14, 2012. One of Town Council's "Major Initiatives" is to "Update the Comprehensive Plan Base Map, Demographics, and Statistics." With this request, staff is proposing an administrative update to the Planning Context, Community Character, and Transportation chapters of the Comprehensive Plan, including updates to demographics and statistics to reflect changes and existing conditions that have occurred since 2012. Staff is also proposing updates to the base maps of the Comprehensive Plan. An exhibit depicting a side-by-side comparison of the existing and proposed Comprehensive Plan and base maps is included for review.

It is common practice and recommended that Comprehensive Plans are updated every ten (10) years. Pending Budget approval, it is anticipated the Comprehensive Plan will be amended in its entirety during the 2021-2022 timeframe.

**Attached Documents:**

1. Update Comparison Exhibit
2. Current Comprehensive Plan
3. Proposed Comprehensive Plan

**Planning & Zoning Commission Recommendation:**

At their October 6, 2020 meeting, the Planning & Zoning Commission recommended the Town Council approve the request, by a vote of 7-0, subject to inclusion of originally adopted data and base maps.

Since the meeting, staff has revised the proposed Comprehensive Plan by including originally adopted data and base maps.

**Staff Recommendation:**

Staff requests the Town Council approve an ordinance administratively updating the Planning Context, Community Character, and Transportation chapters of the Comprehensive Plan, and updating the base maps of the Comprehensive Plan.

**Proposed Motion:**

I move to approve an ordinance administratively updating the Planning Context, Community Character, and Transportation chapters of the Comprehensive Plan, and updating the base maps of the Comprehensive Plan.

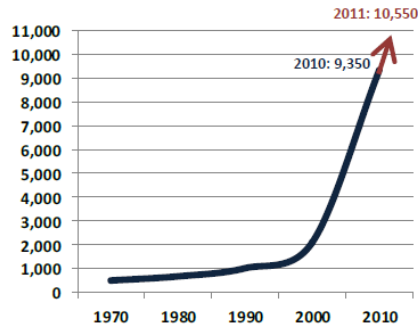


# Existing Planning Context - Population Analysis

## PLANNING CONTEXT

### Population Analysis

Figure 1: Historic Population Growth



| Year | Population | Change | Growth | CAGR* |
|------|------------|--------|--------|-------|
| 1970 | 501        | -      | -      | 7.6%  |
| 1980 | 675        | 174    | 34.7%  |       |
| 1990 | 1,018      | 343    | 50.8%  |       |
| 2000 | 2,097      | 1,079  | 106.0% |       |
| 2010 | 9,350      | 7,253  | 345.9% |       |

\*Compound Annual Growth Rate  
Source: United States Census

#### Population Synopsis

From 1970 to 2000, the Town of Prosper experienced relatively fast, but steady, population growth. Since 2000, however, the Town has experienced very rapid and robust growth and reached a population of 9,350 residents according to the 2010 U.S. Census. 2011 NCTCOG Population estimates put the population of Prosper at 10,550 residents.

The Compound Annual Growth Rate (CAGR) is a method of analyzing annual average rates of growth. Between 1970 and 2010, Prosper experienced a CAGR of 7.6 percent. Generally speaking, this is a high rate of growth for a community. Since 2000, the CAGR for the community has risen dramatically to 16.1 percent.

Examining historical population growth trends helps to tell the story of how Prosper has grown in the past and may give some insight into how Prosper may grow in the future. There are a number of different variables that must be considered when examining population growth trends, but one of the primary factors is location. Communities in rural areas, not adjacent to a major metropolitan area, typically experience very gradual yet steady growth over time. Many rural communities experience very little growth at all, and in some cases experience negative growth, or decline. Communities near metropolitan areas, however, are characterized differently. Typically speaking, communities on the fringe of metropolitan areas began as rural, somewhat isolated communities characterized by slow but steady growth. Eventually, the urbanized/developed area encroaches on these rural communities causing a period of very rapid and robust growth until the community reaches its carrying capacity, or build-out. At this point, the growth rapidly slows once again. This pattern has characterized growth within the North Dallas region. Garland, Richardson, Plano, Frisco and McKinney are all examples of this type of growth.

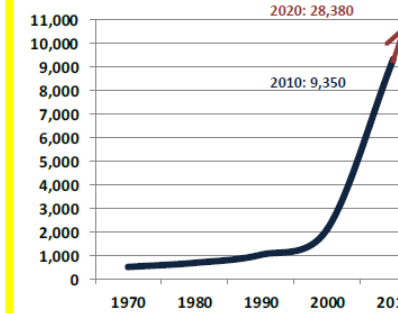
When examining historical growth patterns for the Town of Prosper, we see that Prosper, too, fits into this type of growth pattern. In 1970, the community contained only 500 residents. Between 1970 and 2000, the community added approximately 1600 residents. Since 2000, however, the Town has added over 7,000 new residents, indicating that Prosper has likely reached the beginning of a period of rapid and robust growth. Although impossible to predict the future housing market, reasonable assumptions seem to indicate that this period of rapid growth over the past 10 years was not an accident, but is indicative of the rapid northern expansion of the DFW Metropolitan Area. Based on this assumption, it is likely that rapid and robust growth will continue to characterize Prosper for the decades to come.

# Proposed Planning Context – Population Analysis

Item 7.

## PLANNING CONTEXT

### Population Analysis



| Year | Population | Change | Growth  | CAGR* |
|------|------------|--------|---------|-------|
| 1970 | 501        | -      | -       | 8.6%  |
| 1980 | 675        | 174    | 34.7%   |       |
| 1990 | 1,018      | 343    | 50.8%   |       |
| 2000 | 2,097      | 1,079  | 106.0%  |       |
| 2010 | 9,350      | 7,253  | 345.9%  |       |
| 2020 | 28,380     | 19,030 | 203.53% |       |

\*Compound Annual Growth Rate  
Source: United States Census, 2020 numbers from Prosper, TX.

#### Population Synopsis

From 1970 to 2020, the Town of Prosper experienced relatively fast, but steady, population growth. Since 2000, however, the Town has experienced very rapid and robust growth and reached a population of 28,380 residents according to the NCTCOG Population estimates.

The Compound Annual Growth Rate (CAGR) is a method of analyzing annual average rates of growth. Between 1970 and 2020, Prosper experienced a CAGR of 8.6 percent. Generally speaking, this is a high rate of growth for a community. Since 2000, the CAGR for the community has risen dramatically to 14.7 percent.

Examining historical population growth trends helps to tell the story of how Prosper has grown in the past and may give some insight into how Prosper may grow in the future. There are a number of different variables that must be considered when examining population growth trends, but one of the primary factors is location. Communities in rural areas, not adjacent to a major metropolitan area, typically experience very gradual yet steady growth over time. Many rural communities experience very little growth at all, and in some cases experience negative growth, or decline. Communities near metropolitan areas, however, are characterized differently. Typically speaking, communities on the fringe of metropolitan areas began as rural, somewhat isolated communities characterized by slow but steady growth. Eventually, the urbanized/developed area encroaches on these rural communities causing a period of very rapid and robust growth until the community reaches its carrying capacity, or build-out. At this point, the growth rapidly slows once again. This pattern has characterized growth within the North Dallas region. Garland, Richardson, Plano, Frisco and McKinney are all examples of this type of growth.

When examining historical growth patterns for the Town of Prosper, we see that Prosper, too, fits into this type of growth pattern. In 1970, the community contained only 500 residents. Between 1970 and 2000, the community added approximately 1600 residents. Since 2000, however, the Town has added over 26,283 new residents, indicating that Prosper has reached a period of rapid and robust growth. Although impossible to predict the future housing market, reasonable assumptions seem to indicate that this period of rapid growth over the past 20 years was not an accident, but is indicative of the rapid northern expansion of the DFW Metropolitan Area. Based on this assumption, it is likely that rapid and robust growth will continue to characterize Prosper for decades to come.

# Existing Planning Context - Regional Growth

## PLANNING CONTEXT

### Regional Growth

2010 U.S. Census numbers provided insight into just how rapidly the State of Texas, and its metropolitan areas, are growing. The Dallas/Fort Worth Metropolitan area added nearly 1,500,000 people during the 2000-2010 period. Collin County, in particular, has experienced some of the most robust growth over the past several decades. Collin County alone added nearly 200,000 new residents between 2000 and 2010 and is rapidly approaching the 1,000,000 resident mark, a significant milestone considering that only 67,000 residents called Collin County home in 1970.

Between 1970 and 2000, Little Elm and Frisco experienced the fastest rates of growth. Since 2000, however, Little Elm and Prosper have experienced the highest rates of growth at 21.7% and 16.2% respectively. Although Frisco experienced the third highest rate of growth between 2000 and 2010, the City experienced the highest numerical increase, adding over 83,000 new residents during the past decade. It is also important to note that Prosper and every one of its neighbors experienced higher rates of growth over the past decade than in the prior years. This indicates that growth within Prosper and its neighbors is increasing.



### Forecasted Regional Growth

The Dallas/Fort Worth metropolitan area is currently the fourth largest metropolitan area in the United States, behind New York City, Los Angeles and Chicago. According to the North Central Texas Council of Governments (NCTCOG), the population of the Dallas/Fort Worth metropolitan region is expected to reach 9.8 million by 2035 and 10.5 million by 2040. This would result in the addition of over 3 million new residents over the next 20-30 years.

Figure 2: Regional Growth

| Place         | Year   |         |         |         |         | CAGR 1970-2000 | CAGR 2000-2010 |
|---------------|--------|---------|---------|---------|---------|----------------|----------------|
|               | 1970   | 1980    | 1990    | 2000    | 2010    |                |                |
| Collin County | 66,920 | 144,576 | 264,036 | 491,675 | 782,341 | 6.3%           | 4.8%           |
| Celina        | 1,272  | 1,520   | 1,737   | 1,861   | 6,028   | 4.0%           | 12.5%          |
| Frisco        | 1,845  | 3,499   | 6,138   | 33,714  | 116,989 | 10.9%          | 13.3%          |
| Little Elm    | 363    | 926     | 1,255   | 3,646   | 25,898  | 11.3%          | 21.7%          |
| McKinney      | 15,193 | 16,256  | 21,283  | 54,369  | 131,117 | 5.5%           | 9.2%           |
| Prosper       | 501    | 675     | 1,018   | 2,097   | 9,423   | 7.6%           | 16.2%          |

Source: 2010 Census

# Proposed Planning Context - Regional Growth

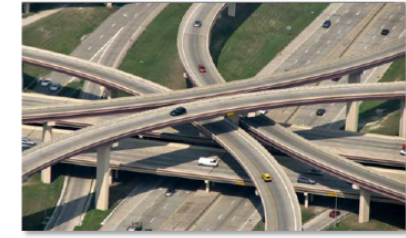
## PLANNING CONTEXT

Item 7.

### Regional Growth

2010 U.S. Census numbers provided insight into just how rapidly the State of Texas, and its metropolitan areas, are growing. The Dallas/Fort Worth Metropolitan area added nearly 1,200,000 people during the 2010-2020 period. Collin County, in particular, has experienced some of the most robust growth over the past several decades. Collin County alone added nearly 200,000 new residents between 2000 and 2010 and nearly 261,000 new residents between 2010 and 2020. Over 1 million residents call Collin County home and Denton County is home to more than 900,000 residents.

Between 1970 and 2000, Little Elm and Frisco experienced the fastest rates of growth. Since 2010, however, Celina and Prosper have experienced the highest compounded growth rates at 15.1% and 13.0% respectively. It is also important to note that Prosper and every one of its neighbors experienced higher rates of growth over the past decade than in the prior years. This indicates that growth within Prosper and its neighbors is increasing.



### Population Projections

The Town of Prosper has experienced extremely rapid growth over the past several. External factors seem to indicate that growth years within Collin County will likely continue in the foreseeable future. Likewise, with the extension of the Dallas North Tollway through Prosper, it is very likely that rapid growth within the Town will also continue.

Figure 2: Regional Growth

| Place         | Year   |         |         |         |         |           | CAGR 1970-2010 | CAGR 2010-2020 |
|---------------|--------|---------|---------|---------|---------|-----------|----------------|----------------|
|               | 1970   | 1980    | 1990    | 2000    | 2010    | 2020      |                |                |
| Collin County | 66,920 | 144,576 | 264,036 | 491,675 | 782,341 | 1,043,140 | 6.3%           | 3.2%           |
| Celina        | 1,272  | 1,520   | 1,737   | 1,861   | 6,028   | 21,430    | 4.0%           | 15.1%          |
| Frisco        | 1,845  | 3,499   | 6,138   | 33,714  | 116,989 | 193,870   | 10.9%          | 5.8%           |
| Little Elm    | 363    | 926     | 1,255   | 3,646   | 25,898  | 46,200    | 11.3%          | 6.6%           |
| McKinney      | 15,193 | 16,256  | 21,283  | 54,369  | 131,117 | 194,890   | 5.5%           | 4.5%           |
| Prosper       | 501    | 675     | 1,018   | 2,097   | 9,423   | 28,380    | 7.6%           | 13.0%          |

Source: 2010 Census and North Central Texas Council of Government



# Existing Planning Context - Housing Characteristics

## PLANNING CONTEXT

**Household Type**

|                       |       |
|-----------------------|-------|
| Family Households     | 85.1% |
| Non-Family Households | 14.9% |

Of the total Family Households, 53.1% have children under the age of 18, 75.2% are married couple households, 3% are single parent male households, and 6.9% are single female parent households.

12.1% of the total households in Prosper are householder living alone.

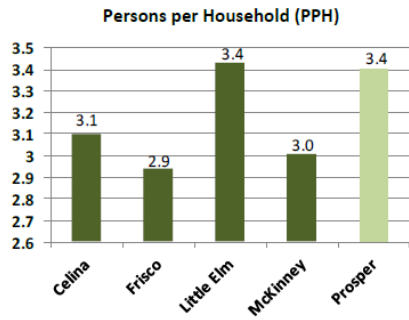
### Housing Characteristics

Household type refers to how the people who live within a household are related, if they do not live alone. Generally speaking, Prosper contains a large number of married-couple households and households with children under the age of 18.

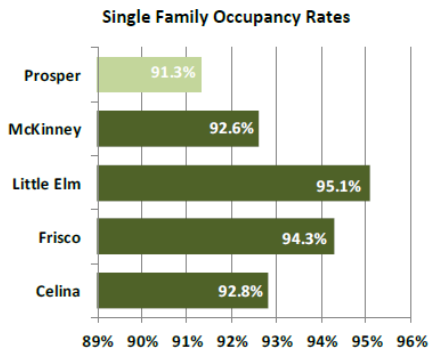
Within Prosper, the average household size is 3.4 persons per household (PPH) for single family dwelling units and 2.4 persons per household for multifamily units. The PPH for single family dwelling units is significantly higher than the State average of 2.81 PPH, Frisco at 2.94 PPH, and Celina at 3.10 PPH. Only Little Elm has a larger average household size than Prosper at 3.43 PPH. This data indicates a large number of families call Prosper home.

Occupancy rate is an important indicator of the local housing market and housing saturation. A high occupancy rate may indicate an immediate need for additional housing stock to accommodate new population growth. A low occupancy rate may indicate an oversaturation of homes in the housing market. Typically, healthy cities have at least a 90% occupancy rate, something fairly common in the rapidly growing DFW area.

Currently, Prosper has a 91.3% occupancy rate for single family dwelling units. This is indicative of a healthy housing saturation. The Town has a 94.5% occupancy rate for multifamily units. This too is a very healthy multifamily saturation rate.



Source: 2010 Census



Source: 2010 Census



# Proposed Planning Context - Housing Characteristics

Item 7.

## PLANNING CONTEXT

**Household Type**

|                       |       |
|-----------------------|-------|
| Family Households     | 85.1% |
| Non-Family Households | 14.9% |

Of the total Family Households, 53.1% have children under the age of 18, 75.2% are married couple households, 3% are single parent male households, and 6.9% are single female parent households.

12.1% of the total households in Prosper are householder living alone.

### Housing Characteristics

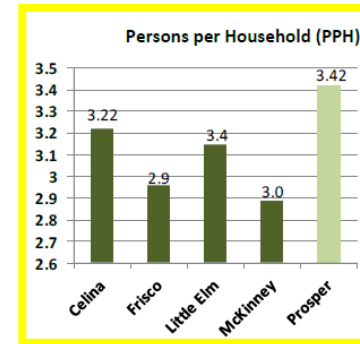
Household type refers to how the people who live within a household are related, if they do not live alone. Generally speaking, Prosper contains a large number of married-couple households and households with children under the age of 18.

Within Prosper, the average household size is 3.42 persons per household (PPH) for single family dwelling units and 1.9 persons per household for multifamily units. The PPH for single family dwelling units is significantly higher than the State average of 2.81 PPH, Frisco at 2.9 PPH, and Celina at 3.22 PPH. Prosper currently has the highest PPH compared to the surrounding municipalities. This data indicates a large number of families call Prosper home.

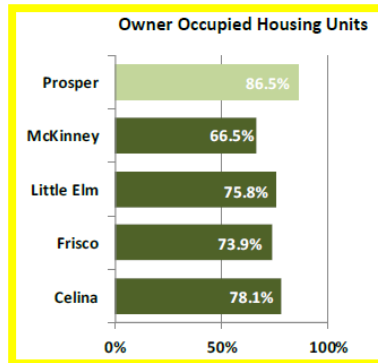
Occupancy rate is an important indicator of the local housing market and housing saturation. A high occupancy rate may indicate an immediate need for additional housing stock to accommodate new population growth. A low occupancy rate may indicate an oversaturation of homes in the housing market. Typically, healthy cities have at least a 90% occupancy rate, something fairly common in the rapidly growing DFW area.

According to North Central Texas Council of Governments, Prosper currently has a 96.4% occupancy rate for single family dwelling units. This is indicative of a healthy housing saturation. NCTCOG also indicated the Town has a 94.6% occupancy rate for multifamily units. This too is a very healthy multifamily saturation rate.

At this time the single family occupancy rate for surrounding municipalities is unavailable however, the owner occupancy rate is available to demonstrate that Prosper is a primarily owner occupied community.



Source: American Community Survey

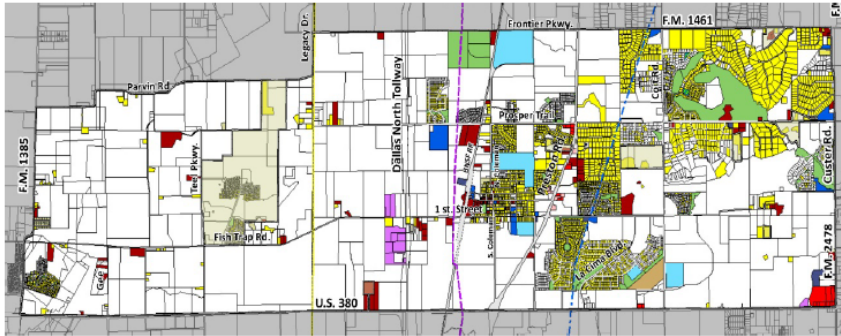


# Existing Planning Context - Existing Land Use

## PLANNING CONTEXT

### Existing Land Use

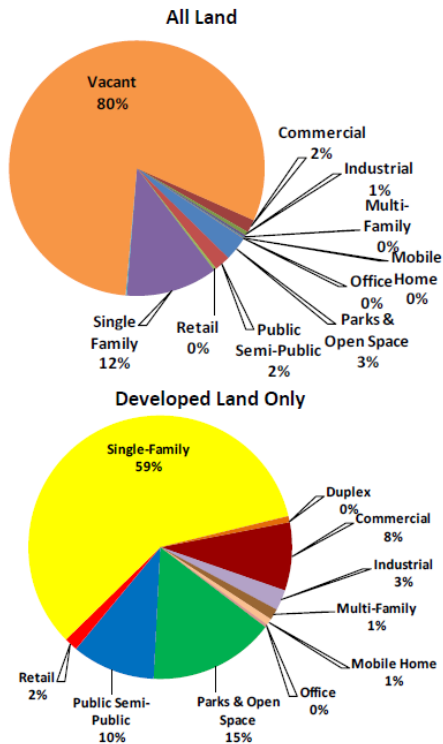
Plate 1: Existing Land Use



The existing land use of the Town of Prosper is predominantly characterized by vacant land. Within the Town boundaries, the majority of land, 80%, is currently vacant. This is a significant portion of land that will drastically impact the overall urban form of the community as it develops. While a majority of undeveloped property in Prosper has already been zoned, there may be opportunities to work with developers to incorporate the identified community vision. Such opportunities should be pursued, particularly as circumstances arise which necessitate zoning adjustments or changes.

When excluding vacant land and only examining developed land, the predominant land use in Prosper is single family residential. Parks & Open Space constitutes the second highest land use followed by public/semi-public and retail. Discussed previously, very little residential variations currently exist. Additionally, only 2% of the developed land use is currently occupied by retail.

Figure 3: Existing Land Use



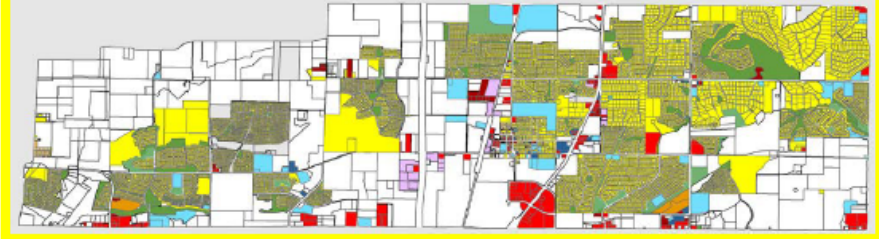
# Proposed Planning Context - Existing Land Uses

## PLANNING CONTEXT

Item 7.

### Existing Land Use

Plate 1: Existing Land Use

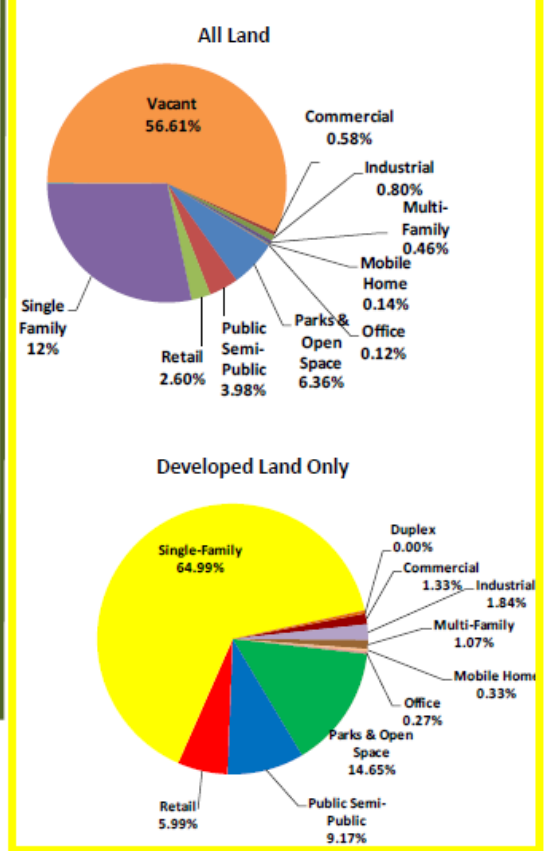


The land uses of the Town of Prosper are predominantly characterized by vacant land. Within the Town boundaries, the majority of land, 57%, is currently vacant. In 2012, 80% of the land was vacant and is the basis of the 2012 recommendations within the Comprehensive Plan. This is a significant portion of land that will drastically impact the overall urban form of the community as it develops. While a majority of undeveloped property in Prosper has already been zoned, there may be opportunities to work with developers to incorporate the identified community vision. Such opportunities should be pursued, particularly as circumstances arise which necessitate zoning adjustments or changes.

When excluding vacant land and only examining developed land, the predominant land use in Prosper is single family residential. Parks & Open Space constitutes the second highest land use followed by public/semi-public and retail. Discussed previously, very little residential variations currently exist. Additionally, in 2020 only 0.27% of the developed land use was occupied by office compared to zero office uses in 2012.

\*\* The land uses have been updated to reflect existing and land under construction through 2020.

Figure 3: Existing Land Use



# Existing Planning Context – Planning Efforts

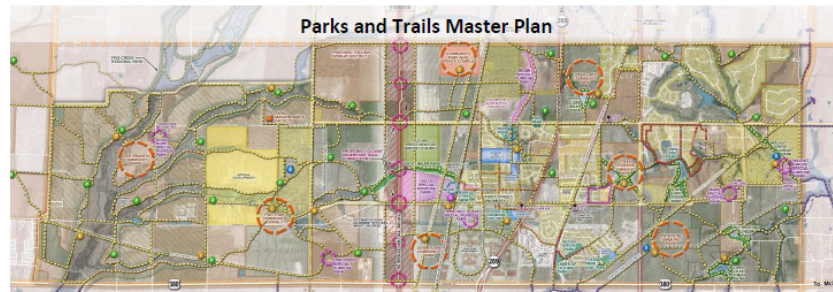
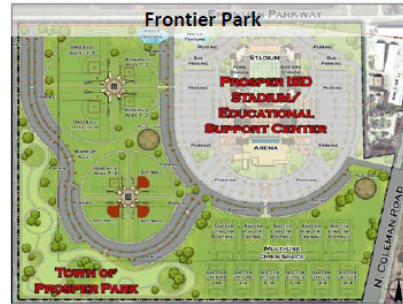
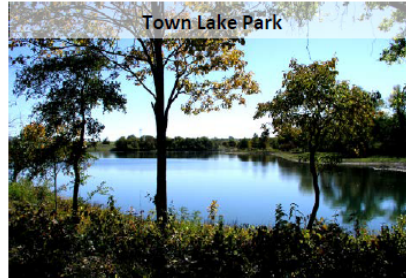
## PLANNING CONTEXT

### 2007 Parks Recreation and Open Space Master Plan

In 2007, the Town completed a Parks, Recreation and Open Space Master Plan (Parks Plan) to direct the growth of the Town's parks and trails as the community grows over the next several decades. The importance of the Parks Plan cannot be understated. Parks provide recreational opportunities for community residents and help to increase the overall quality of life of the community. In the same manner, trails provide recreational opportunities for residents to walk, run or bike throughout the community. Trails provide access to open space, parks, schools, community facilities and help to link various areas of the community to one another.

As development occurs, incremental implementation of the Parks Plan will occur. Ensuring that it is updated as changes occur, will help the Town leverage and negotiate with developers as vacant land is developed, ultimately enabling the Town to impose a proportional cost of park development on developers.

It will be important that the Parks Plan be consulted by Town decision makers as development proposals are received. While slight deviations may be permitted to accommodate site layouts, the location of parks and trails have been chosen for intentional reasons and therefore the general locations of trails and parks should be adhered to as close as possible.



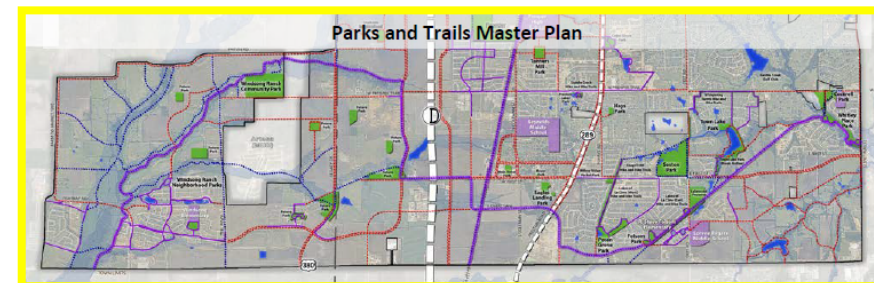
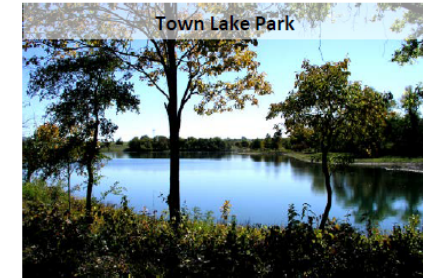
# Proposed Planning Context – Planning Efforts

## PLANNING CONTEXT

### 2015 Parks Recreation and Open Space Master Plan

In 2015, the Town completed a Parks, Recreation and Open Space Master Plan (Parks Plan) to direct the growth of the Town's parks as the community grows over the next several decades. The importance of the Parks Plan cannot be understated. Parks provide recreational opportunities for community residents and help to increase the overall quality of life of the community. **The Town is currently updating on a Hike and Bike Master Plan.** Trails provide recreational opportunities for residents to walk, run or bike throughout the community. Trails provide access to open space, parks, schools, community facilities and help to link various areas of the community to one another.

As development occurs, incremental implementation of the Parks Plan will occur. Ensuring that it is updated as changes occur, will help the Town leverage and negotiate with developers as vacant land is developed, ultimately enabling the Town to impose a proportional cost of park development on developers. It will be important that the Parks Plan be consulted by Town decision makers as development proposals are received. While slight deviations may be permitted to accommodate site layouts, the location of parks and trails have been chosen for intentional reasons and therefore the general locations of trails and parks should be adhered to as close as possible.



Item 7.

# Existing Community Character - Ultimate Capacity

## COMMUNITY CHARACTER

Based upon the future land use scenario and the previous assumptions, the ultimate capacity for Prosper is approximately 69,300 residents, as delineated in Figure 5 below. Changes in overall development patterns that deviate from the Plan's recommendations could significantly impact the ultimate capacity of the community.

Figure 5: Ultimate Capacity

| Land Use                             | Acreage | DUA* | Dwelling Units | PPH** | Total Pop |
|--------------------------------------|---------|------|----------------|-------|-----------|
| Low Density                          | 2,573   | 1.2  | 3,087          | 3.4   | 10,498    |
| Medium Density                       | 3,763   | 2.3  | 8,654          | 3.4   | 29,427    |
| High Density Single-Family (Artesia) | 450     | 4.8  | 2,170          | 3.4   | 7,378     |
| High Density Multi-Family (Artesia)  | 30      | 20   | 600            | 2.4   | 1,440     |
| High Density Residential             | -       | -    | 5,000          | 2     | 10,000    |
| Additional Population                |         |      | 58,743         |       |           |
| Existing Population                  |         |      | 10,560         |       |           |
| <b>Total Build-Out Capacity</b>      |         |      | <b>69,303</b>  |       |           |

\*DUA (Dwelling Units per Acre)  
\*\*Persons per Household

# Proposed Community Character - Ultimate Capacity

Item 7.

## COMMUNITY CHARACTER

Based upon the future land use scenario and the previous assumptions, the ultimate capacity for Prosper is approximately 72,095 residents, as delineated below. Changes in overall development patterns that deviate from the Plan's recommendations could significantly impact the ultimate capacity of the community. The Artesia development is within Prosper's ETJ and is not included the Prosper population numbers provided by NCTCOG or the US Census Bureau. This accounts for the difference in the build-out capacity numbers provided in the 2020 estimate shown below.

### 2012 Estimated Buildout Capacity

| Land Use                             | 2012 Acreage | DUA* | Dwelling Units | PPH** | Total Pop |
|--------------------------------------|--------------|------|----------------|-------|-----------|
| Low Density                          | 2,573        | 1.2  | 3,087          | 3.4   | 10,498    |
| Medium Density                       | 3,763        | 2.3  | 8,654          | 3.4   | 29,427    |
| High Density Single-Family (Artesia) | 450          | 4.8  | 2,170          | 3.4   | 7,378     |
| High Density Multi-Family (Artesia)  | 30           | 20   | 600            | 2.4   | 1,440     |
| High Density Residential             | -            | -    | 5,000          | 2     | 10,000    |
| Additional Population                |              |      | 58,743         |       |           |
| Existing Population                  |              |      | 10,560         |       |           |
| <b>Total Build-Out Capacity</b>      |              |      | <b>69,303</b>  |       |           |

\*DUA (Dwelling Units per Acre)  
\*\*Persons per Household

### 2020 Estimated Buildout Capacity

| Land Use  | 2020 Acreage | DUA* | Dwelling Units | PPH** | Total Pop |
|---|--------------|------|----------------|-------|-----------|
| Low Density                                       | 1,880        | 1.2  | 2,246          | 3.4   | 7,671     |
| Medium Density                                    | 3,512        | 2.3  | 8,078          | 3.4   | 27,464    |
| High Density Single-Family (Artesia)              | 450          | 4.8  | 2,170          | 3.4   | 7,378     |
| High Density Multi-Family (Artesia)               | 30           | 20   | 600            | 2.4   | 1,440     |
| High Density Multi-Family (Entitled)              | -            | -    | 4,200          | 2     | 8,400     |
| High Density Senior Multi-Family                  |              |      | 180            | 1     | 180       |
| Additional Population                             |              |      | 52,533         |       |           |
| Existing Population                               |              |      | 28,380         |       |           |
| <b>Total Build-Out Capacity</b>                   |              |      | <b>80,880</b>  |       |           |
| <b>Total Build-Out Capacity Excluding Artesia</b> |              |      | <b>72,095</b>  |       |           |

\*DUA (Dwelling Units per Acre)  
\*\*Persons per Household



## TRANSPORTATION

**Collin County Transportation Plan**  
In 1999, Collin County adopted the first Transportation Mobility Plan aimed at coordinating regional roadway improvements among the various municipalities and agencies to address long-term County growth needs and capital improvements planning. Subsequently updated in 2003 and 2007, Collin County is currently in the process of initiating the next generational update slated for 2012.

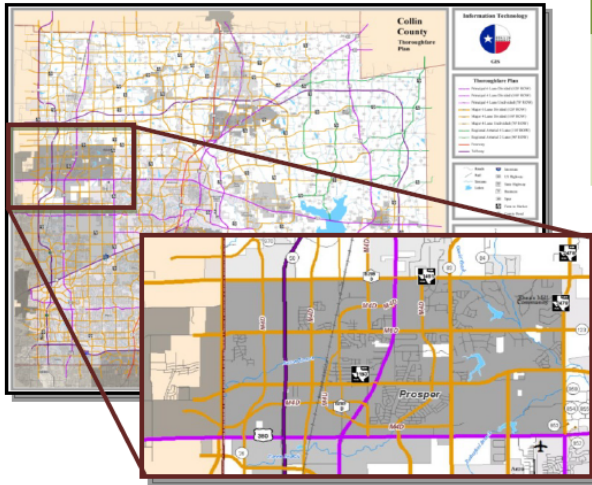
Within the Town, the 2007 County Plan contains some differences relative to the Prosper Thoroughfare Plan including:

- Prosper Trail as a six-lane divided (Plan has four lanes);
- First Street as a six-lane divided (Plan has four lanes);
- Extension of Independence Parkway north of US380 to First Street (not on Plan); and
- Extension of La Cima beyond north First Street to Frontier Parkway (not on Plan).

As the update to the 2012 Mobility Plan is developed, it is recommended that Prosper's Thoroughfare Plan elements be conveyed to County planners for inclusion into their plan.

The County Plan also contains the northeastern section of the planned Dallas-Ft. Worth Regional Outer Loop. Currently, only a portion of this corridor, from Dallas North Tollway to SH 5, remains in the NCTCOG *Metropolitan Transportation Plan: Mobility 2035* as viable due to financial funding constraints. While not a direct impact to Prosper, a long-term benefit of this improvement is the potential reduction in north/south travel on surface streets in favor of highway access on the DNT.

2007 Collin County Transportation Plan



### Area Transportation Service

A topic identified early in the planning process was a desire to provide shuttle service for seniors within Prosper. Collin County Area Regional Transit (CCART) currently provides transit services in Collin County, including on-call/demand response. This service provided by the County can be utilized by seniors, or other Town residents, when there is a need for transportation assistance.

CCART operates Monday through Friday with service from 6am to 6pm. Advanced reservations also can be made from 6am to 6pm.

## TRANSPORTATION

**Collin County Transportation Plan**  
In 1999, Collin County adopted the first Transportation Mobility Plan aimed at coordinating regional roadway improvements among the various municipalities and agencies to address long-term County growth needs and capital improvements planning. Subsequently updated in 2003 and 2007, Collin County updated the mobility plan in 2014 to identify and coordinate the transportation needs of our growing population.

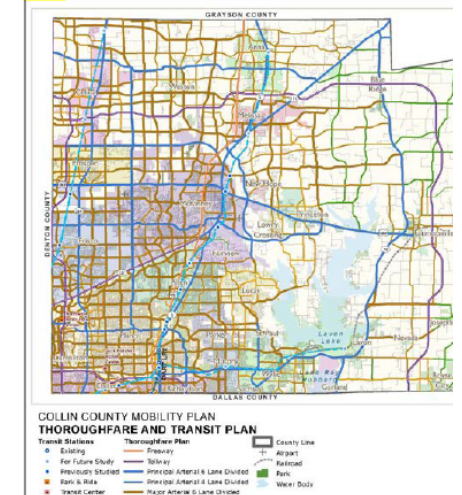
Within the Town, the 2014 County Plan contains some differences relative to the Prosper Thoroughfare Plan including:

- Prosper Trail as a six-lane divided (Plan has four lanes);and
- First Street as a six-lane divided (Plan has four lanes);

The Thoroughfare Plan and Future Land Use Plan for Prosper where provided to the County Planners for inclusion and consideration in the 2014 mobility plan.

The County Plan also contains the northeastern section of the planned Dallas-Ft. Worth Regional Outer Loop. Currently, only a portion of this corridor, from Dallas North Tollway to SH 5, remains in the NCTCOG *Metropolitan Transportation Plan: Mobility 2035* as viable due to financial funding constraints. While not a direct impact to Prosper, a long-term benefit of this improvement is the potential reduction in north/south travel on surface streets in favor of highway access on the DNT.

2014 Collin County Transportation Plan



COLLIN COUNTY MOBILITY PLAN  
THOROUGHFARE AND TRANSIT PLAN

Transit Stations: Station, For Future Study, Previously Studied, Rail-to-Rail, Transit Center  
Thoroughfare Plan: Freeway, Tollway, Interstate Arterial 6 Lane Divided, Interstate Arterial 4 Lane Divided, Major Arterial 6 Lane Divided  
County Line, Airport, Railroad, Park, Water Daily

### Area Transportation Service

A topic identified early in the planning process was a desire to provide shuttle service for seniors within Prosper. Collin County Area Regional Transit (CCART) currently provides transit services in Collin County, including on-call/demand response. This service provided by the County can be utilized by seniors, or other Town residents, when there is a need for transportation assistance.

Item 7.



## TRANSPORTATION

### Highway Improvements

Plans are underway for improvements to key highway corridors within Prosper. The following summarizes activity on Preston Road (SH 289), US 380 and the DNT:

- Preston Road (SH 289) Overpass at Highway 380:** Construction is underway to expand this overpass from two to six-lane lane divided. Work on this project began in March 2011 and is slated for completion in September 2012.
- Preston Road (SH 289):** Preston Road will be expanded from two to six-lane divided between Highway 380 and FM1461/Frontier Parkway. Construction is set to begin in the first quarter 2012 with completion targeted for first quarter 2014. All major crossings with Preston will be at-grade.
- Highway 380:** TXDOT is currently developing schematic plans to expand this facility from 4/5 lanes to six-lanes between Custer Road and the Collin County line. Between Lovers Lane, both east of Preston and west of DNT, a differing roadway section is being planned and will contain grade separated main lanes at Preston and DNT and frontage roads. The Highway 380 frontage roads will intersect with frontage roads of DNT and Preston will be similar to the SH 121/DNT/Preston interchange (three level interchange). This 2-3 year project is slated to begin early 2014 with completion in 2016 or early 2017. Within the Denton County portion of Highway 380, there are no current plans for expansion at this time.
- Dallas North Tollway:** Currently, no timing has been established for the implementation of the adjoining frontage road or extension of main lanes to FM 428 in Celina. The Town is working with the County to potentially initiate the implementation of the southbound frontage road between Highway 380 and Frontier Parkway, however no plans have been finalized at this time. Grade

separations are envisioned at Lovers Lane, First Street, Prosper Trail and Frontier Parkway.

### Regional Rail

In 2005, NCTCOG initially examined the feasibility of long-term regional rail service to various areas of the Metroplex. Within the Prosper area, analysis of regional rail extended only through Frisco. The Frisco Line, a 34.3 mile line extending from Irving to just south of Highway 380 in Frisco, was considered in the study. Evaluations considered long-term population and employment growth, existing rail corridors and compatibility with other freight operations, projected rider-ship, capital and operations/maintenance costs, system connectivity, among others in the analysis. A potential station location within Prosper is the BNSF Railroad at First Street within the Old Town district.

The analysis concluded with a rider-ship forecast of 1,000 to 3,000 persons daily at the far northern end of the line in Frisco, and was initially recommended for inclusion to Mobility 2030 as a corridor for further evaluation. While no funding has been identified at this time, this line has been recommended for long-term consideration in *Mobility 2035*.

*Mobility 2035* has also identified the consideration of this rail line through Prosper to the northern county limit as a "corridor for



## TRANSPORTATION

Item 7.

### Highway Improvements

The following summarizes planned and completed improvements to key highway corridors:

- Preston Road (SH 289) Overpass at Highway 380:** Construction of a six-lane divided overpass began in early 2011 and was completed at the end of 2012.
- Preston Road (SH 289):** Preston Road was expanded from two to six-lane divided roadway between US Highway 380 and FM1461/Frontier Parkway. Construction began in March 2012 and was completed in August 2014. All major crossings with Preston are at-grade.
- US Highway 380:** TXDOT has completed design plans to expand this facility from 4/5 lanes to six-lanes between Custer Road FM 1385. Construction from Custer Road to the Collin county/Denton County Line began in September 2014. The roadway section both east of Preston and west of DNT overpasses at Preston, BNSF RR, and Dallas North Tollway (DNT). The frontage roads intersect with frontage roads of DNT and Preston similar to the SH 121/DNT/Preston interchange (three level interchange). The construction was complete in March 2019. Construction from the Collin County/Denton County Line is anticipated to begin in Spring 2021, and be complete in Spring 2024. Overpasses are planned at Legacy Drive, Teel Parkway, and FM 423/Gee Road. TxDOT is currently performing feasibility studies on US 380 becoming a Controlled Access Freeway in the future.
- Dallas North Tollway (DNT):** Collin County completed the construction of the southbound frontage road from US 380 to FM 428 in January 2020. The North Texas Tollway Authority (NTTA) has plans to complete the construction of the main lanes overpass at US Highway 380 in Spring 2023, and the extension of the main lanes from US Highway 380 to FM 428 in Spring 2026. Grade separations in the Town of

- Prosper are planned at Lovers Lane, First Street, Prosper Trail and Frontier Parkway.
- Custer Road (FM 2478):** TxDOT has completed design plans to expand this facility from two lanes to four lanes between US Highway 380 and Frontier Parkway (FM 1461). Construction is anticipated to begin in Fall 2020, and be complete in Fall 2022.
- Frontier Parkway (FM 1461):** TxDOT is designing plans to expand this facility from two lanes to four lanes between Preston Road (SH 289) and CR 166. Construction is anticipated to begin Winter 2023-2024, and be complete in Fall 2026.
- FM 1385:** TxDOT is designing plans to expand this facility from two lanes to six lanes between US Highway 380 and FM 455. There is currently no timeline established for construction.





# Existing Transportation Plan Summary

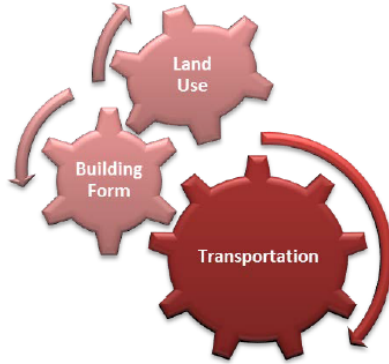
## TRANSPORTATION

### Transportation Plan

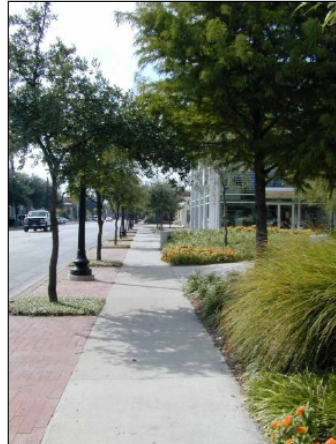
The Transportation element of this Plan is intended to serve as a guide for transportation decisions within the Town. It was developed based upon past transportation planning efforts, connectivity efforts on key thoroughfares with adjacent communities and input from the CPAC, Town Staff and public input.

This Plan should be used as a reference when updating the Town's Thoroughfare Plan, Thoroughfare and Circulation Design Standards and any related ordinances, and should be referred to when considering a wide range of decisions related to both transportation and land use. Transportation decisions do not exist within a vacuum, but are directly related to decisions regarding land use and building form. Therefore, the ultimate objective of this Plan is to create a balanced transportation system within Prosper which provides for the safe mobility of residents, considers both current and future needs, enhances connectivity and mobility options, and promotes a more livable community through a proactive approach to the Town's appearance.

The Thoroughfare Plan is reflected in Plate 3. Street classifications were developed based upon a number of factors including the roadways regional significance, current or projected traffic volumes, and land use. It is important to note that although a roadway may be identified as a Major Thoroughfare, the roadway design should not be rigid, but should consider a multitude of factors during its design including adjacent land use and context, among others.



Example high-rated street design photos from the VCS



Town of Prosper, TX

# Proposed Transportation Plan Summary

## TRANSPORTATION

Item 7.

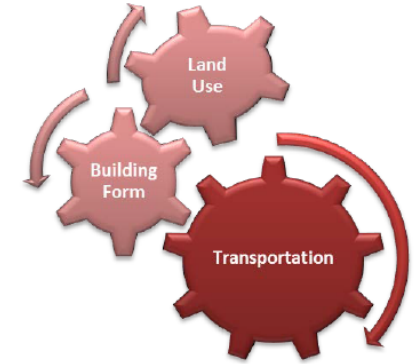
### Transportation Plan

The Transportation element of this Plan is intended to serve as a guide for transportation decisions within the Town. It was developed based upon past transportation planning efforts, connectivity efforts on key thoroughfares with adjacent communities and input from the CPAC, Town Staff and public input.

This Plan should be used as a reference when updating the Town's Thoroughfare Plan, Thoroughfare and Circulation Design Standards and any related ordinances, and should be referred to when considering a wide range of decisions related to both transportation and land use. Transportation decisions do not exist within a vacuum, but are directly related to decisions regarding land use and building form. Therefore, the ultimate objective of this Plan is to create a balanced transportation system within Prosper which provides for the safe mobility of residents, considers both current and future needs, enhances connectivity and mobility options, and promotes a more livable community through a proactive approach to the Town's appearance.

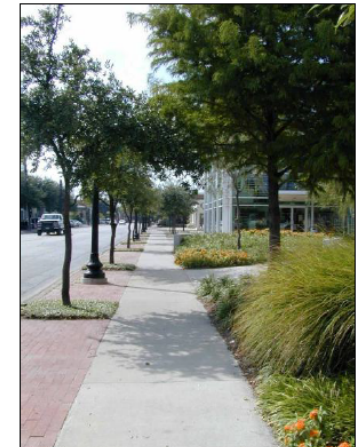
The Thoroughfare Plan is reflected in Plate 3 is for informational purposes and has not been prepared for and is not intended for legal, real estate, engineering, or surveying purposes. It does not represent on-the-ground survey. It is provided as a conceptual guide for transportation decisions within the Town related to general roadway alignments and classifications. The Town of Prosper does not assume any responsibilities or liability for any omissions, inaccuracies, or misinterpretations of the Thoroughfare Plan.

Street classifications were developed based upon a number of factors including the roadways regional significance, current or projected traffic volumes, and land use. It is important to note that although a roadway may

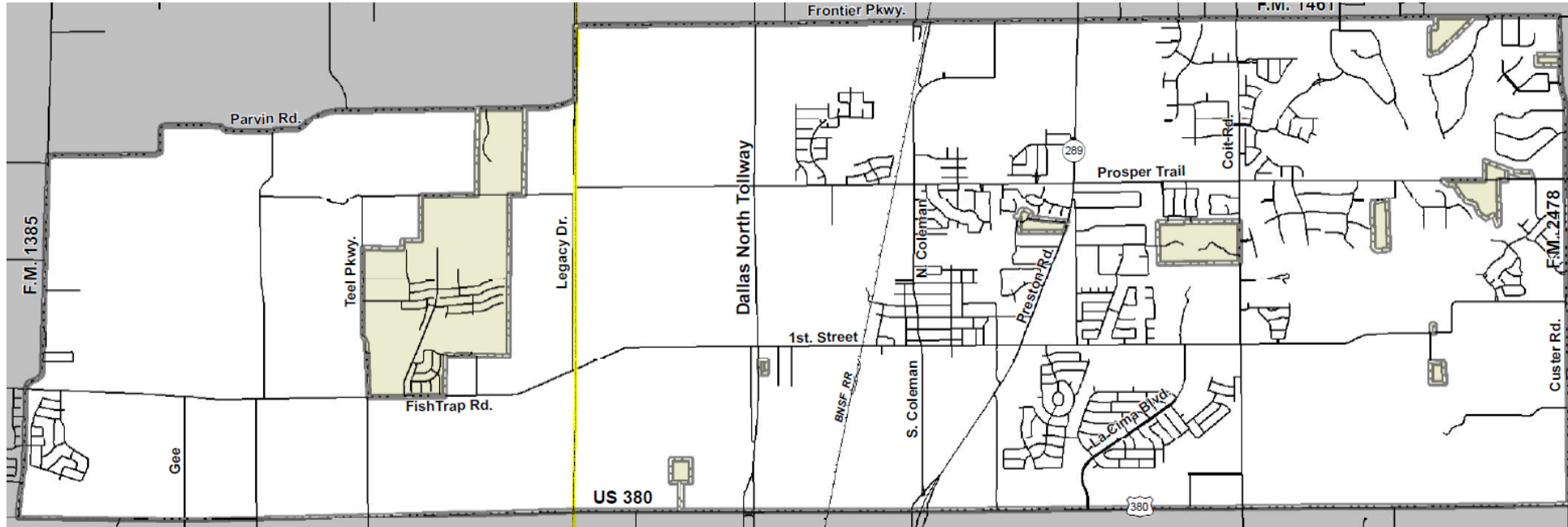


be identified as a Major Thoroughfare, the roadway design should not be rigid, but should consider a multitude of factors during its design including adjacent land use and context, among others.

Example high-rated street design photos from the VCS



# 2012 Town Limits and ETJ Map



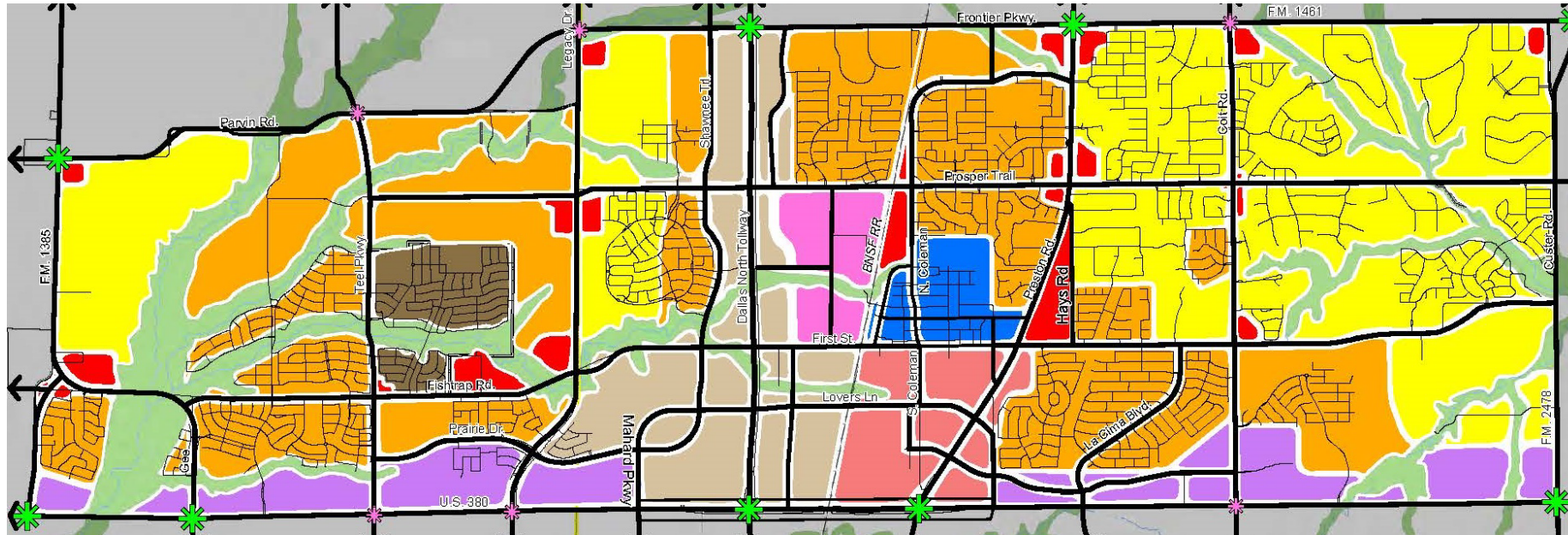
Item 7.

# Proposed Update – 2020 Town Limits and ETJ Map

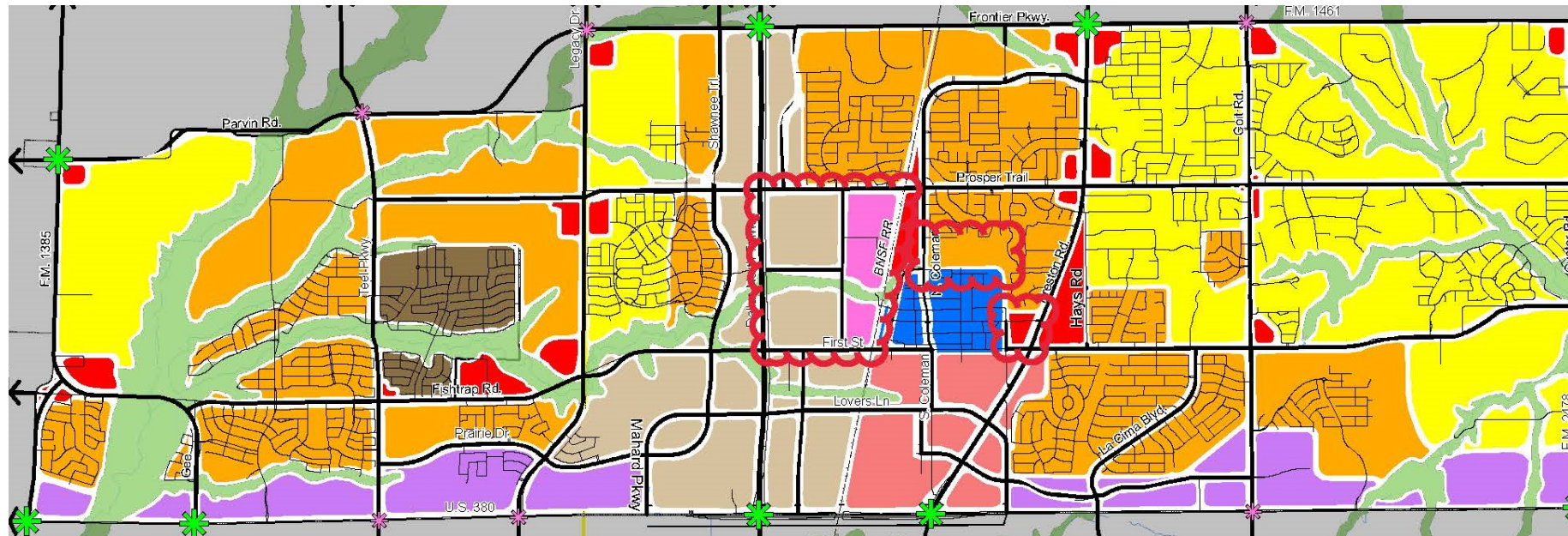


# Existing Future Land Use Plan (Adopted February 2020)

Item 7.



## Proposed Future Land Use

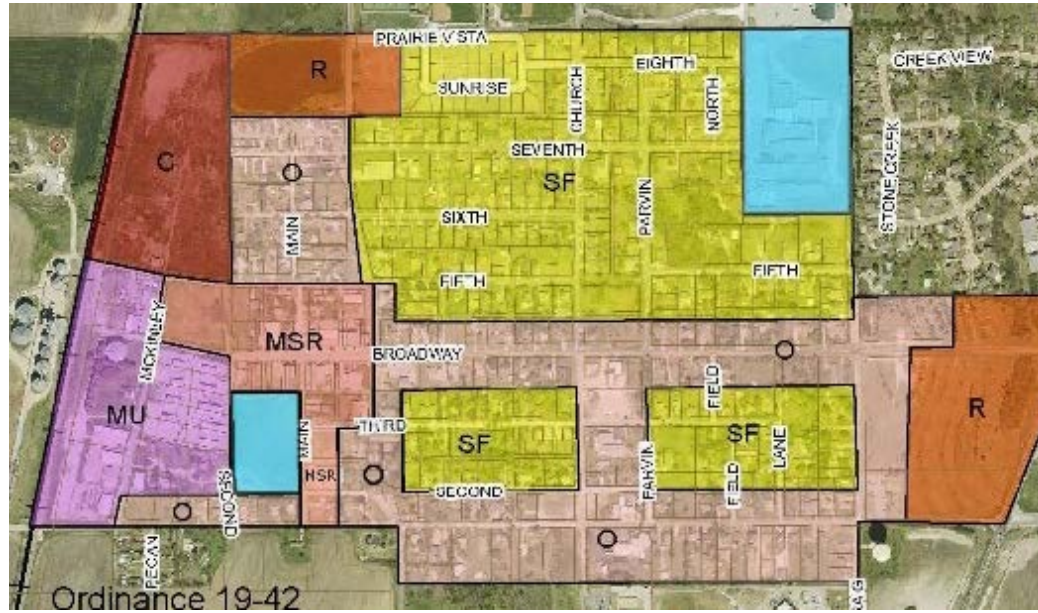


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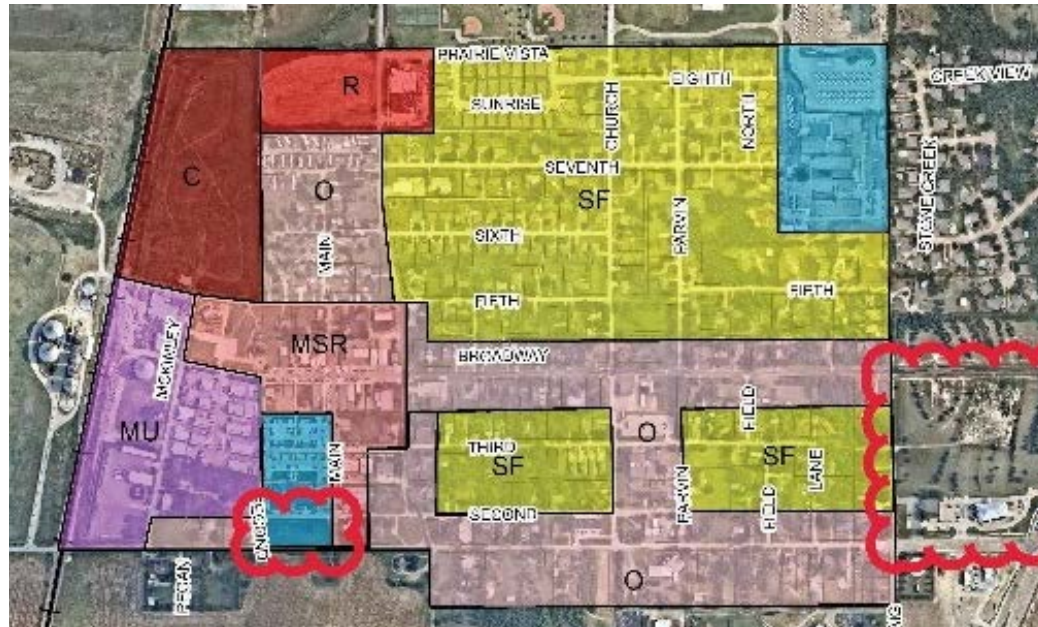
**Future Land Use Plan Base Map updated to reflect existing conditions and align with approved thoroughfares and districts.**

### Existing Old Town Insert Map (Adopted June 2019)

Item 7.

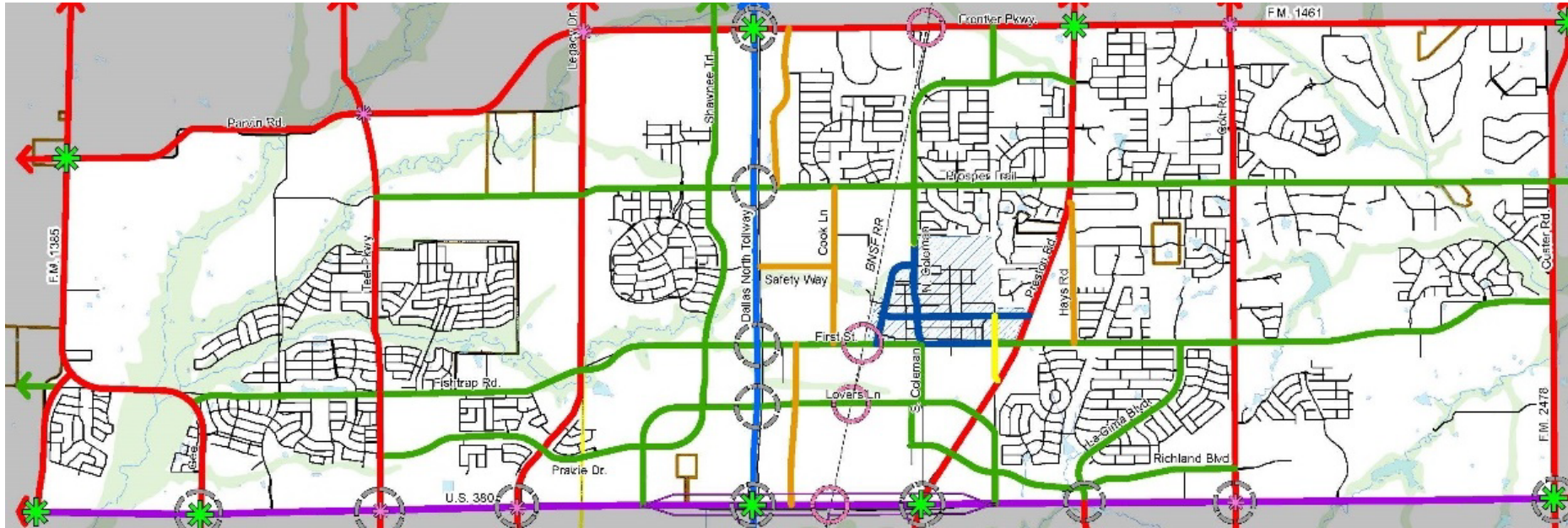


### Proposed Update - Old Town Insert Area



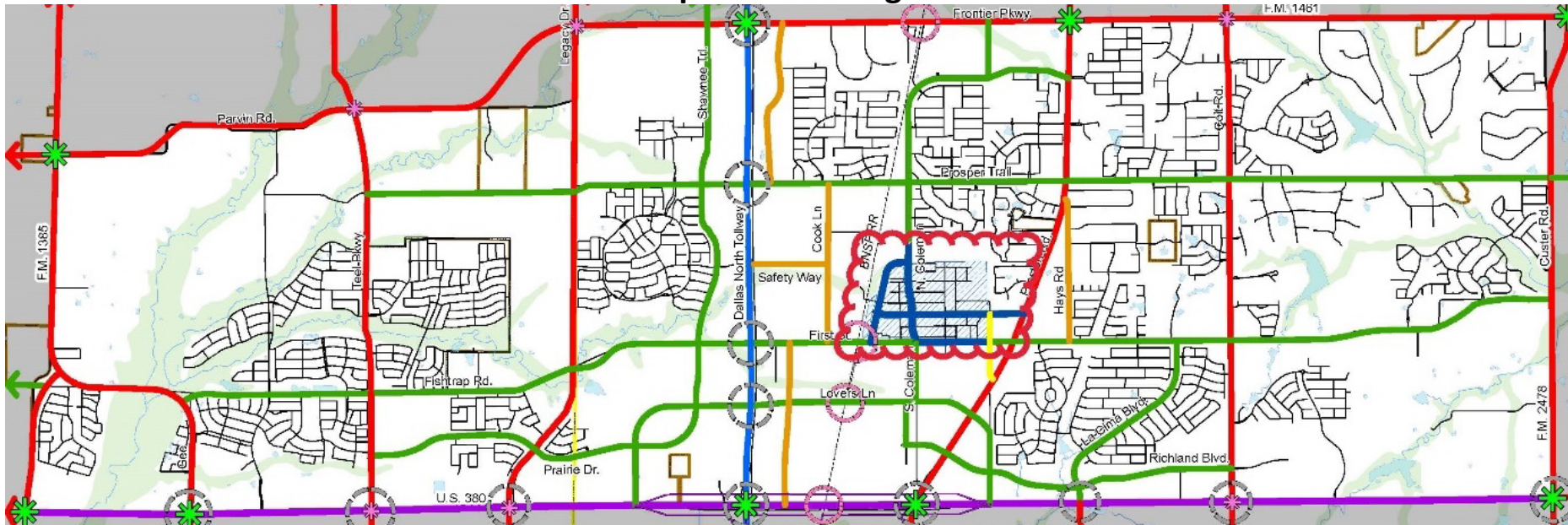
Old Town area updated to reflect existing conditions and downtown redevelopment and revitalization districts.

# Existing Thoroughfare Plan (Adopted May 2020)



Item 7.

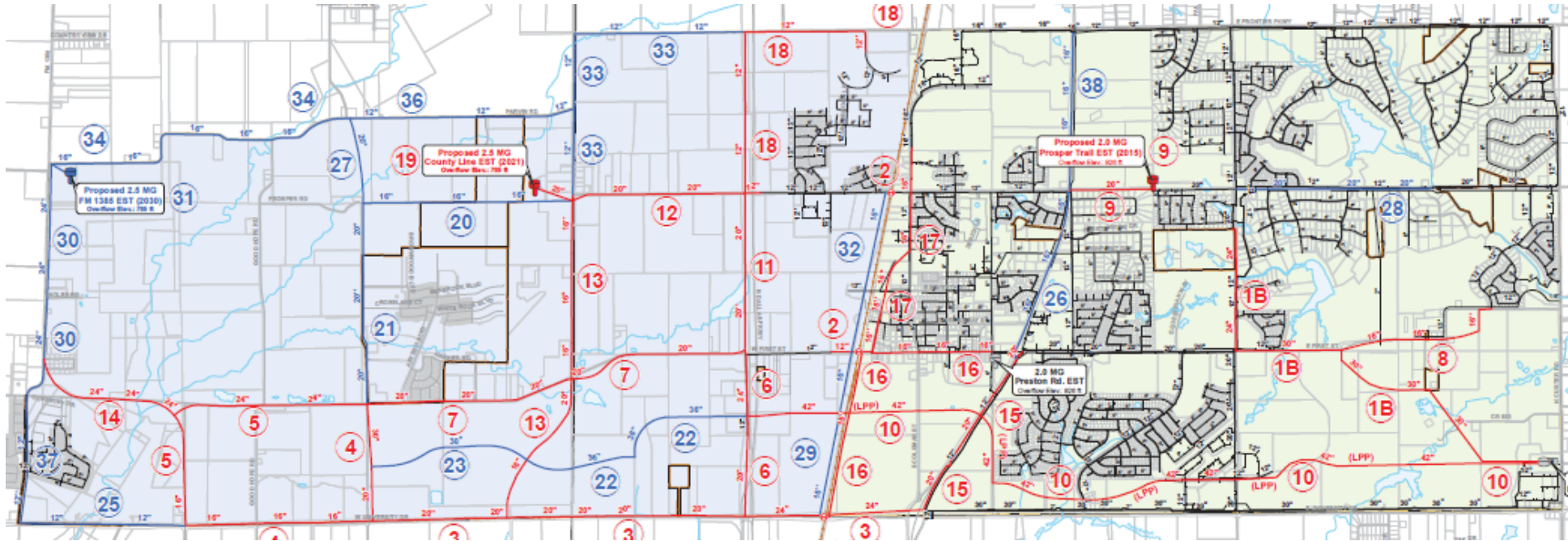
# Proposed Thoroughfare Plan



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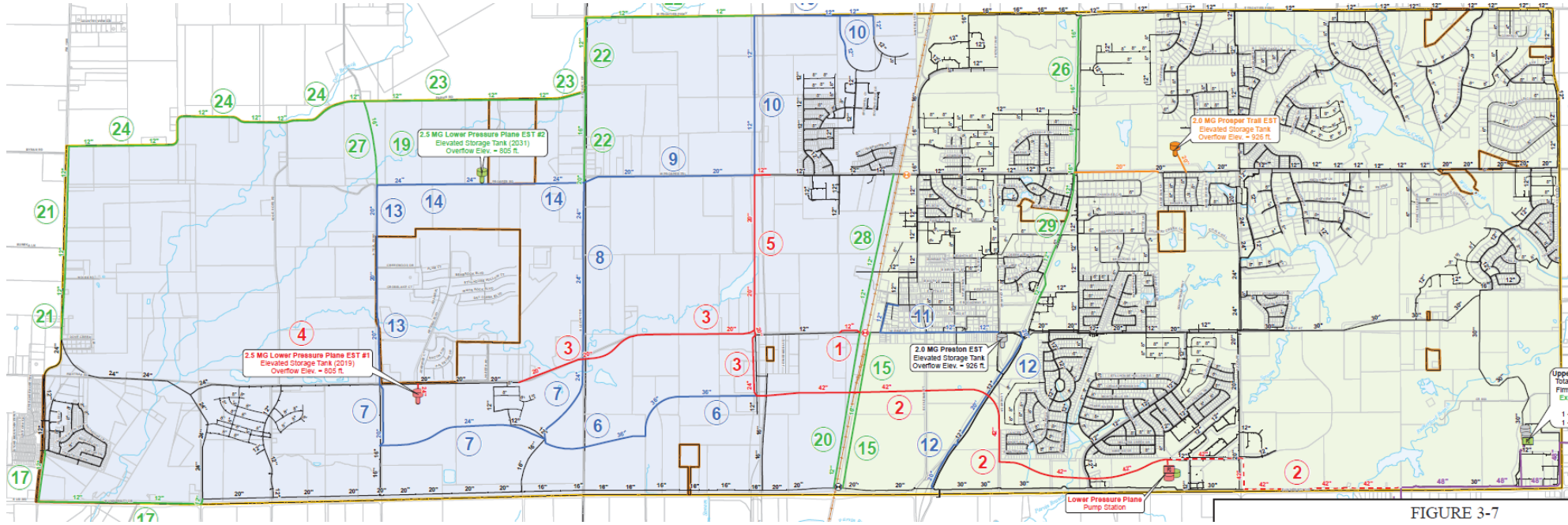
Thoroughfare Base Map updated to reflect modified Old Town Area.

# 2012 Water System CIP Map



Item 7.

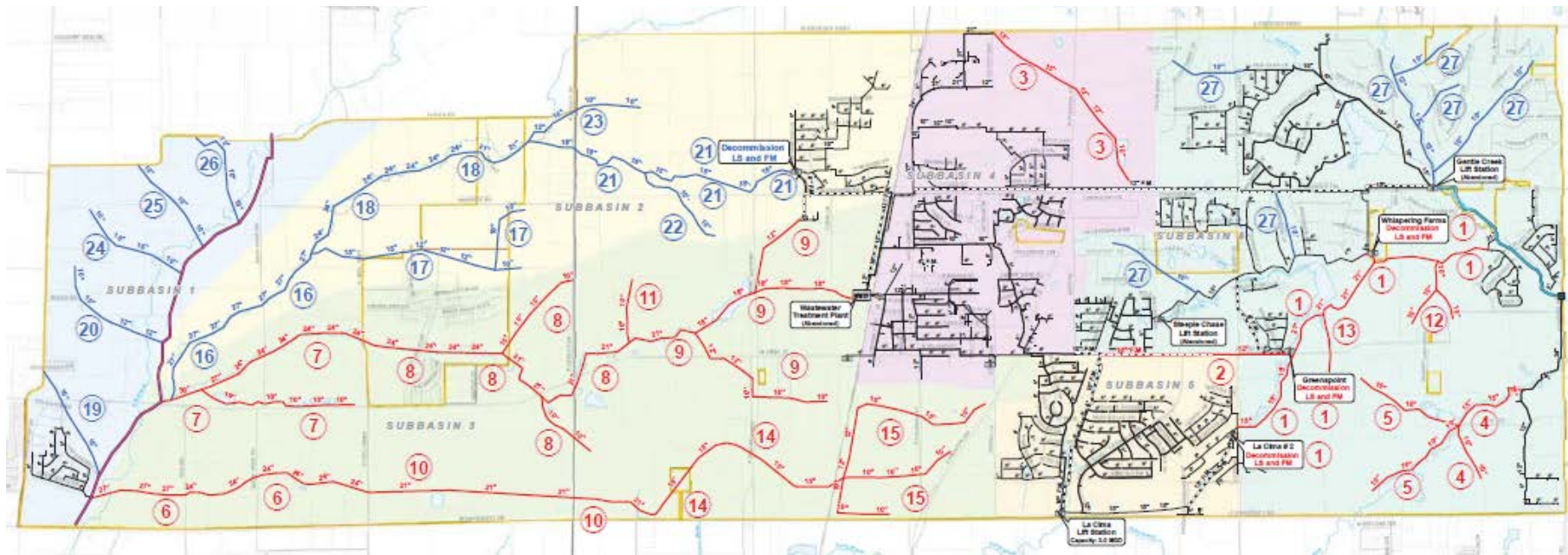
# 2019 Water System CIP Map



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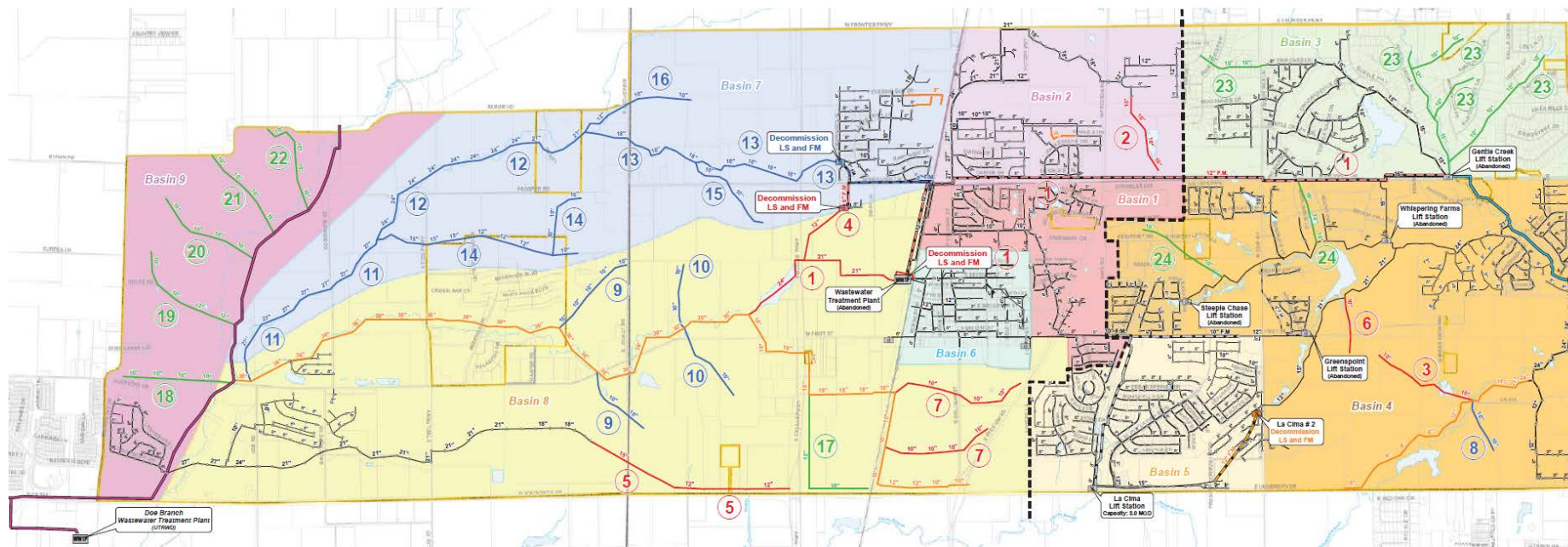
FIGURE 3-7

# 2012 Wastewater System CIP Map



Item 7.

# 2019 Wastewater System CIP Map





# Prosper Comprehensive Plan

Town of Prosper, Texas

Adopted August 14, 2012

Ordinance No. 12-21



Acknowledgements



**TOWN COUNCIL MEMBERS**

Ray Smith, Mayor  
Dave Benefield, Place 1  
Kenneth Dugger, Place 2, Mayor Pro-Tem  
Curry Vogelsang Jr., Place 3  
Meigs Miller, Place 4  
Danny Wilson, Place 5  
Jason Dixon, Place 6

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Mike McClung, Vice Chair  
Chris Keith, Secretary  
Bruce Carlin  
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Edmund Haas, AICP, Project Manager  
Brandon Gonzalez, Project Planner



**Amendments to the 2012 Comprehensive Plan**

| Ordinance Adoption Date | Ordinance Number | Description of Amendment   |
|-------------------------|------------------|--|
| June 24, 2014           | 14-37            | Amend the Future Land Use Plan, Plate 2, by changing “Low Density Residential” to “Retail & Neighborhood Services” at the northeast corner of Preston Road and Prosper Trail.  |
| April 4, 2015           | 15-19            | Amend the Future Land Use Plan, Plate 3, by changing “Old Town Core - Office” to “Old Town Core – Main Street Retail” at the northeast corner of First Street and Main Street.   |
| October 13, 2015        | 15-63            | Amend the Future Land Use Plan, Plate 2, by changing “Medium Density Residential” to “Tollway District” at the northwest corner of Prairie Drive and Prosper Trail.  |
| May 10, 2016            | 16-30            | Amend the Future Land Use Plan, Plate 2, by changing “Low Density Residential” to “Medium Density Residential” on the west side of Coit Road, 2,300± feet north of First Street.   |
| November 8, 2016        | 16-72            | Amend the Future Land Use Plan, Plate 4, by realigning a north-south segment of the Commercial Collector located between Dallas Parkway and the BNSF railroad, from Prosper Trail to First Street, to align with existing Cook Lane, and to provide an east-west Commercial Collector segment connecting to Dallas Parkway |
| November 8, 2016        | 16-73            | Amend the Future Land Use Plan, Plate 3, by changing “Old Town Core – Green Space” to “Old Town Core – Public” at the northeast corner of Second Street and Main Street.   |
| October 9, 2018         | 18-79            | Amend the Transportation Section to provide for additional transportation cross sections, for the segment of Coit Road, between Prosper Trail and Frontier Parkway.  |
| May 14, 2019            | 19-28            | Amend the Future Land Use Plan, Plate 2, by changing “Medium Density Residential” to “Retail & Neighborhood Services” on the north side of Fishtrap Road, west of Legacy Drive.  |
| June 25, 2019           | 19-42            | Amend the Future Land Use Plan, Plate 3, by changing “Old Town-Single Family” to “Old Town-Office” on the east side of Coleman Street, between Second Street and north of Third Street.  |
| November 26, 2019       | Staff Amendment  | Administrative updates to the Thoroughfare Plan, reflecting existing roadway conditions, right-of-way dedication, and/or easement acquisition.   |
| February 25, 2020       | 2020-13          | Amend the Future Land Use Plan, Plate 2, by changing “Low Density Residential” to “Tollway District”, on the north side of Prosper Trail, west of Shawnee Trail.   |

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## EXECUTIVE SUMMARY

### Executive Summary

Prosper's 2012 Comprehensive Plan is a plan to preserve the past, realize the potential of the present, and guide the future of the Town. It is a coordinated effort of citizens, decision makers, Town staff, and other stakeholders.

The Plan analyzes the issues presented by the current conditions to develop a vision for the future of Prosper and designs the pathway to achieve that desired future. As we have seen in the last decade, growth in Prosper is inevitable. This Plan is meant to help preserve the Town's history, culture and resources, as well as manage growth sensibly and responsibly. This Plan is intended to be a dynamic, flexible and adaptable guide to help decision-makers, citizens, Town staff, developers and business owners shape Prosper's future on a continual, proactive basis.

This planning document forms the basis for policy decisions. Policy-makers and Town staff will use this document as a guide only while reviewing development projects, Town budget, prioritizing capital improvement projects and drafting ordinances to direct growth that leads to the vision identified in this document. For citizens and potential developers, this plan can be used as a guide to:

- Compare development requests or projects with the vision and strategies of this plan;
- Choose the right project or realign the request to meet the vision; and
- Review recommendations and implementation ideas to determine an appropriate development model.

### Plan Elements

Prosper's 2012 Comprehensive Plan is structured into seven sections – Planning to Plan, Community Vision, Community Character, Transportation Plan, Economic Analysis, Infrastructure Assessment and Implementation Plan.

### Planning to Plan

This section provides introductory information that should be considered as planning decisions are made. Historical population growth for both Prosper and the region, general household characteristics, existing land use, planning constraints and past planning efforts are identified to begin to set the baseline, or context from which plan recommendations should be made.

### Community Vision

One of the most critical elements of the planning process was identifying the Town's vision. This process included a Comprehensive Plan Advisory Committee (CPAC) made up of 13 Town residents who were ultimately responsible for formulating Plan recommendations. In addition to the CPAC, two Town Hall meetings were conducted on June 27, 2011 and February 13, 2012. Town residents participated in roundtable discussions and other exercises designed to gather feedback on the Town's vision. A Visual Character Survey (VCS) was made available on the Town's website over the duration of a 4 week period. A total of over 440 Town residents participated in the online VCS where residents rated nearly 200 individual images. Key characteristics identified by the public included the desire for maintaining the small-town feel, preserving large-lot homes and providing high-quality retail shopping and restaurants.

### Community Character

The Community Character element examined both land use and livability characteristics. The existing 2004 Comprehensive Plan was used as a basis for land use decisions and necessary and appropriate alterations were made based upon the Community Vision. Overall densities in all residential categories were lowered from the 2004 Plan and lot-size guidelines were provided. Based upon the Future Land Use Plan, the Town could support approximately 69,000 residents and, based upon recent



## EXECUTIVE SUMMARY

growth trends, build out could potentially occur between 2035 and 2040.

Livability guidelines included keeping the more intense development along the Dallas North Tollway and Highway 380 while maintaining Preston Road as an internal corridor respective of adjacent residential neighborhoods. General considerations for neighborhood design were derived with an eye towards providing a wide range of housing in Prosper, taking into consideration, among other things, data relating to income, education levels and ethnicity. A land use and roadway character plan for Old Town was created in order to preserve the historical element of the Town's founding. Finally, gateway and image enhancement recommendations were provided.

### Transportation Plan

The Town recently completed an update to its Thoroughfare Plan and therefore no major modifications were needed. Minor modifications to the South Coleman Couplet were proposed in addition to creating backage roads for access along the Dallas North Tollway, upgrading Hayes Road and providing frontage roads along Highway 380 between the Lovers Lane Loop. Finally, roadway sections for Old Town were created. Roadway sections are intended to preserve and enhance the historical elements of Old Town.

### Economic Analysis

A general economic analysis was conducted to determine the Town's retail needs at build-out and to approximate the financial benefits of the Future Land Use Plan in terms of potential sales and property tax contributions. Findings indicate that retail acreage on the Future Land Use Plan can support the Town's future needs and accounts for additional market capture due to the Town's major regional corridors. Ad Valorem and Sales Tax estimates, combined with current per capita expenditures, indicate that the Future Land Use Plan is diversified and

can potentially permit the Town to provide additional services and amenities in the future.

### Infrastructure Assessment

An evaluation of overall water and wastewater infrastructure within the Town was conducted. Based upon recommendations within the Town's recently completed water and wastewater master plans, the Town can provide water and wastewater services to accommodate a potential build-out of approximately 69,000 residents.

### Implementation Plan

The Implementation Plan provides objectives related to the six community goals identified within the Community Vision. These objectives are intended to provide direction towards achieving the ultimate vision for the Town. The Implementation Plan also includes an issue prioritization derived from citizen voting during the February 13, 2012 Town Hall meeting. This prioritization is intended guide Town staff and decision-makers as future projects and needs are identified.

### Differences from 2004 Plan

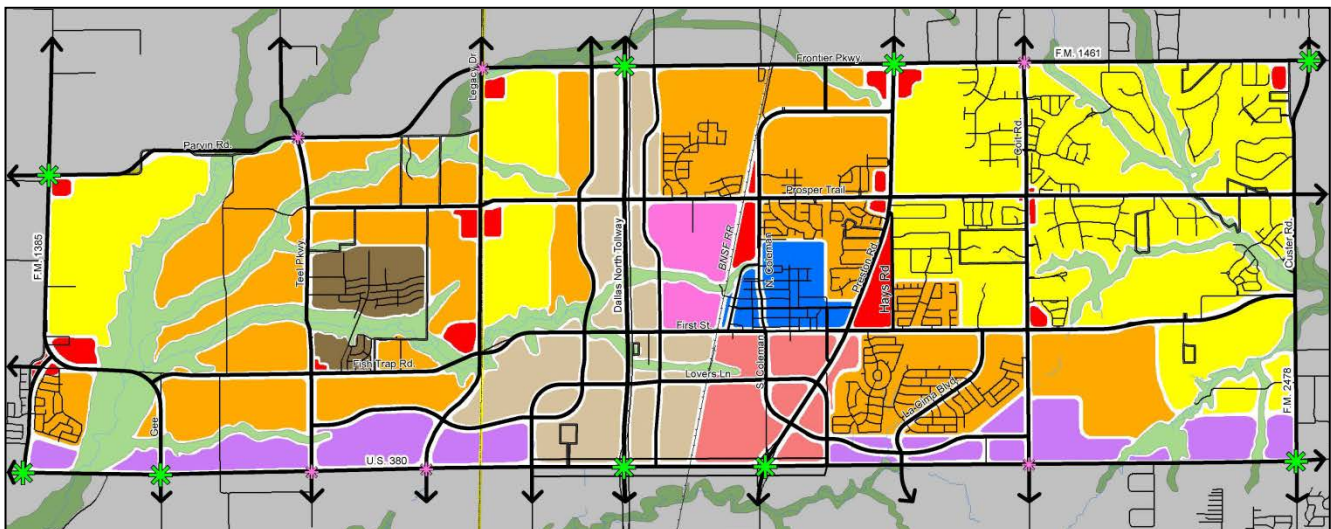
The following are the noticeable changes from the 2004 Comprehensive Plan.

- Vision Statement: the 2004 Plan does not include a Vision Statement.
- Single Family Densities and Lot Size: The 2004 Plan recommends densities of less than 2.0 dwelling units per acre (DUA) in low density residential areas and between 2.1 and 3.5 DUA in medium density residential areas. The 2004 Plan does not give a recommendation on lot sizes. The 2012 Comprehensive Plan recommends less than 1.6 DUA in low density residential area and between 1.6 and 2.5 DUA in medium density residential areas. The 2012 Plan also recommends lots greater than 15,000 square feet in low density areas and between 12,500 and 20,000 square feet in medium density residential areas.

EXECUTIVE SUMMARY

- **Multifamily:** The 2004 Comprehensive Plan supports 215 acres of multifamily and an estimated 3,425 multifamily units. The 2012 Comprehensive Plan anticipates the Town having approximately 6,248 high density residential units at ultimate capacity.
- **Artesia Municipal Utility District:** The 2004 Plan does not recognize Artesia and recommended medium density residential. The 2012 Plan recognizes Artesia and identifies the area as high density single family.
- **Ultimate Capacity:** The 2004 Plan estimates a build-out population of 89,919 people. The 2012 Plan estimates a build-out population of 69,303 people.
- **Business Park District:** Due to the nature of existing zoning, the 2012 Plan recommends a variety of potential uses, such as light industrial, commercial warehousing, office storage and commercial uses with outside storage.
- **Removal of Commercial Boulevard and Industrial along US 380:** The 2012 Plan shows medium density residential in place of the commercial Boulevard District and the Industrial District has been replaced by the Highway 380 District, which allows for a variety of uses such as big box retail, commercial services, hotels, banks and convenience stores, among others.
- **Retail Space:** The 2004 Plan recommends 1,900,000 square feet of retail space. The 2012 Plan suggests approximately 5.7 million square feet of retail space due to the regional nature of the Town’s commercial corridors.
- **Downtown Prosper:** The 2004 Plan did not provide specific land use or transportation recommendations for Old Town. The 2012 Plan incorporates the 2007 Land Use Plan for Old Town and provides a detailed transportation plan for the area.
- **Passenger Rail:** the 2004 Plan does not mention the possibility of future passenger rail on the BNSF Railroad. Although not desired at this time, the 2012 Plan addresses the possibility of passenger rail in the future but leaves the decision of whether or not passenger rail is appropriate in Prosper to future community leaders.

2012 Comprehensive Plan Future Land Use Map



PLANNING CONTEXT

What is a Comprehensive Plan?

The comprehensive plan for the Town of Prosper is intended solely as a guide to direct future development decisions made by Town staff, elected officials and all other decision makers. The comprehensive plan tells the story of who the community is and what it wishes to become. This document is intended to serve as a flexible long-range planning tool that guides the growth and physical development of Prosper for ten years, twenty years or an even longer period of time.

The Comprehensive Plan is a long-range statement of public policy. According to Chapter 213 of the Texas Local Government Code, a comprehensive plan may:

- Include but is not limited to provisions on land use, transportation and public facilities;
- Consist of a single plan or a coordinated set of plans organized by subject and geographic area;
- Be used to coordinate and guide the establishment of development regulations.

Legal Authority

The right for a community to plan is rooted in the Texas Local Government Code. The following are the specific chapters which directly relate to the Town’s ability to plan.

- **Chapter 211:** Allows the governing body of a community to regulate zoning.
- **Chapter 212:** Allows the governing body of a community to regulate subdivision development within the City and Extraterritorial Jurisdiction (ETJ).
- **Chapter 213:** Allows the governing body of a community to create a comprehensive plan for the long-range development of the community and to address a wide range of issues including land use and transportation.



*When putting together a puzzle, it is often helpful to know what the ultimate outcome of the puzzle will be.*



*While you would still be able to assemble the puzzle without the vision, knowing your ultimate vision makes assembling the puzzle much easier. The Comprehensive Plan works in this same fashion...it serves as the vision and makes assembling the various pieces of the development puzzle much easier.*





PLANNING CONTEXT



Planning to Plan

The Town of Prosper sits at an exciting and determining point in its history. Decisions made now will have a lasting physical impact on the Town for generations to come. The Town has a significant amount of vacant land, and while many pre-arranged development agreements currently exist, the ultimate objective of this Plan is to set policies and a vision to ultimately guide such developments, ensuring that all development that occurs within Prosper is compatible and fits into the community’s long term vision.



This 2012 Comprehensive Plan (Plan) will serve as the compass, or guide for the long-term growth of the Town. The following Plan will include an examination of the following issues:

- Future Land Use;
- Livability;
- Transportation;
- Economic Analysis; and
- Infrastructure.

Over the past several decades, rapid development has defined the northern side of the Dallas/Fort Worth Metropolitan Area. The DFW Metro Area is now ranked as the 4<sup>th</sup> largest metropolitan area in the nation and is expected to nearly double in size by the year 2050. Growth is not a question, but is inevitable. Community planning, a vision accompanied by guiding policies, will help ensure that Prosper develops in an orderly fashion, considering and respecting, among other things, data relating to income, education levels, ethnicity as well as the physical values of the community. Community planning will protect the quality of life which makes Prosper one of DFW’s most livable communities.

A comprehensive plan, however visionary, must also be rooted in the present. Therefore, prior to examining the above elements, it will be important and helpful to understand where Prosper is today and what planning efforts have been conducted prior to this Plan. This starting point, or baseline analysis, will allow coordination with previous planning efforts. This examination will be helpful to establish an understanding of Prosper’s population growth, housing characteristics, existing land use, physical constraints and past planning efforts.

PLANNING CONTEXT

Regional Relationship



| Location                       | Mileage |
|--------------------------------|---------|
| Downtown Dallas                | 34      |
| Love Field                     | 31      |
| DFW Airport                    | 33      |
| Stonebriar Centre (Frisco)     | 11      |
| Dallas Galleria                | 23      |
| Addison                        | 22      |
| McKinney (downtown)            | 13      |
| Denton                         | 20      |
| US 75 Central Expressway       | 11      |
| Interstate 35                  | 23      |
| SH 121                         | 12      |
| President George Bush Turnpike | 18      |

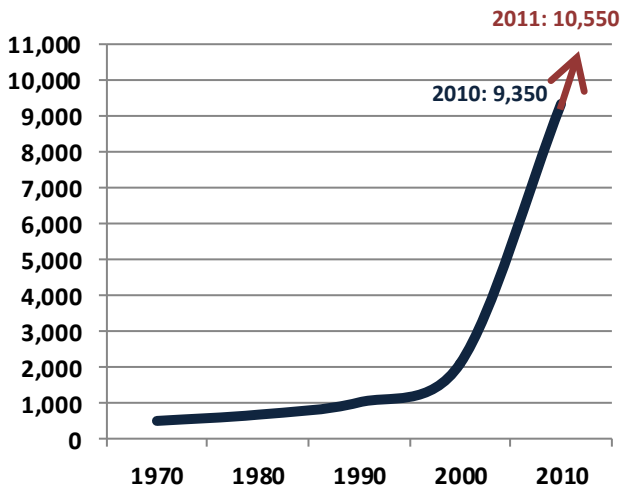
The Town of Prosper is located at the northern edge of the Dallas/Fort Worth Metropolitan area, in western Collin County and eastern Denton County. The Town’s immediate neighbors include Frisco, McKinney, Celina and Little Elm. The Town of Prosper is currently situated at the northern terminus of the Dallas North Tollway and future expansions will take the Tollway through the Town. The Tollway provides direct access to Downtown Dallas as well as to other major regional highways, such as Highway 121/Sam Rayburn Tollway, President George Bush Turnpike and IH 635/LBJ. Highway 380, traversing the southern border of the Town, provides access to the cities of McKinney and Denton and to Interstate 35 and US 75/Central Expressway.



# PLANNING CONTEXT

## Population Analysis

Figure 1: Historic Population Growth



| Year | Population | Change | Growth | CAGR* |
|------|------------|--------|--------|-------|
| 1970 | 501        | -      | -      | 7.6%  |
| 1980 | 675        | 174    | 34.7%  |       |
| 1990 | 1,018      | 343    | 50.8%  |       |
| 2000 | 2,097      | 1,079  | 106.0% |       |
| 2010 | 9,350      | 7,253  | 345.9% |       |

\*Compound Annual Growth Rate  
Source: United States Census

### Population Synopsis

From 1970 to 2000, the Town of Prosper experienced relatively fast, but steady, population growth. Since 2000, however, the Town has experienced very rapid and robust growth and reached a population of 9,350 residents according to the 2010 U.S. Census. 2011 NCTCOG Population estimates put the population of Prosper at 10,550 residents.

The Compound Annual Growth Rate (CAGR) is a method of analyzing annual average rates of growth. Between 1970 and 2010, Prosper experienced a CAGR of 7.6 percent. Generally speaking, this is a high rate of growth for a community. Since 2000, the CAGR for the community has risen dramatically to 16.1 percent.

Examining historical population growth trends helps to tell the story of how Prosper has grown in the past and may give some insight into how Prosper may grow in the future. There are a number of different variables that must be considered when examining population growth trends, but one of the primary factors is location. Communities in rural areas, not adjacent to a major metropolitan area, typically experience very gradual yet steady growth over time. Many rural communities experience very little growth at all, and in some cases experience negative growth, or decline. Communities near metropolitan areas, however, are characterized differently. Typically speaking, communities on the fringe of metropolitan areas began as rural, somewhat isolated communities characterized by slow but steady growth. Eventually, the urbanized/ developed area encroaches on these rural communities causing a period of very rapid and robust growth until the community reaches its carrying capacity, or build-out. At this point, the growth rapidly slows once again. This pattern has characterized growth within the North Dallas region. Garland, Richardson, Plano, Frisco and McKinney are all examples of this type of growth.

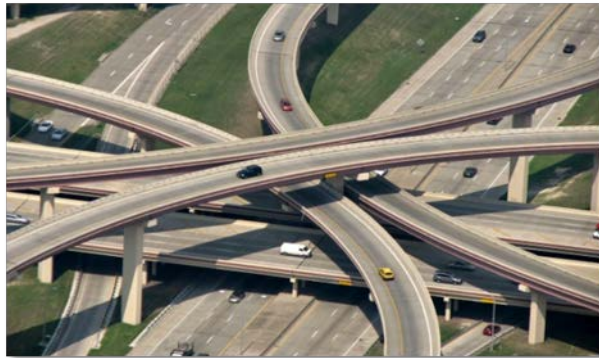
When examining historical growth patterns for the Town of Prosper, we see that Prosper, too, fits into this type of growth pattern. In 1970, the community contained only 500 residents. Between 1970 and 2000, the community added approximately 1600 residents. Since 2000, however, the Town has added over 7,000 new residents, indicating that Prosper has likely reached the beginning of a period of rapid and robust growth. Although impossible to predict the future housing market, reasonable assumptions seem to indicate that this period of rapid growth over the past 10 years was not an accident, but is indicative of the rapid northern expansion of the DFW Metropolitan Area. Based on this assumption, it is likely that rapid and robust growth will continue to characterize Prosper for the decades to come.

PLANNING CONTEXT

**Regional Growth**

2010 U.S. Census numbers provided insight into just how rapidly the State of Texas, and its metropolitan areas, are growing. The Dallas/Fort Worth Metropolitan area added nearly 1,500,000 people during the 2000-2010 period. Collin County, in particular, has experienced some of the most robust growth over the past several decades. Collin County alone added nearly 200,000 new residents between 2000 and 2010 and is rapidly approaching the 1,000,000 resident mark, a significant milestone considering that only 67,000 residents called Collin County home in 1970.

Between 1970 and 2000, Little Elm and Frisco experienced the fastest rates of growth. Since 2000, however, Little Elm and Prosper have experienced the highest rates of growth at 21.7% and 16.2% respectively. Although Frisco experienced the third highest rate of growth between 2000 and 2010, the City experienced the highest numerical increase, adding over 83,000 new residents during the past decade. It is also important to note that Prosper and every one of its neighbors experienced higher rates of growth over the past decade than in the prior years. This indicates that growth within Prosper and its neighbors is increasing.



**Forecasted Regional Growth**  
 The Dallas/Fort Worth metropolitan area is currently the fourth largest metropolitan area in the United States, behind New York City, Los Angeles and Chicago. According to the North Central Texas Council of Governments (NCTCOG), the population of the Dallas/Fort Worth metropolitan region is expected to reach 9.8 million by 2035 and 10.5 million by 2040. This would result in the addition of over 3 million new residents over the next 20-30 years.

Figure 2: Regional Growth

| Place                | Year   |         |         |         |         | CAGR 1970-2000 | CAGR 2000-2010 |
|----------------------|--------|---------|---------|---------|---------|----------------|----------------|
|                      | 1970   | 1980    | 1990    | 2000    | 2010    |                |                |
| <b>Collin County</b> | 66,920 | 144,576 | 264,036 | 491,675 | 782,341 | 6.3%           | 4.8%           |
| <b>Celina</b>        | 1,272  | 1,520   | 1,737   | 1,861   | 6,028   | 4.0%           | 12.5%          |
| <b>Frisco</b>        | 1,845  | 3,499   | 6,138   | 33,714  | 116,989 | 10.9%          | 13.3%          |
| <b>Little Elm</b>    | 363    | 926     | 1,255   | 3,646   | 25,898  | 11.3%          | 21.7%          |
| <b>McKinney</b>      | 15,193 | 16,256  | 21,283  | 54,369  | 131,117 | 5.5%           | 9.2%           |
| <b>Prosper</b>       | 501    | 675     | 1,018   | 2,097   | 9,423   | 7.6%           | 16.2%          |

Source: 2010 Census



# PLANNING CONTEXT

**Household Type**

|                              |              |
|------------------------------|--------------|
| <b>Family Households</b>     | <b>85.1%</b> |
| <b>Non-Family Households</b> | <b>14.9%</b> |

Of the total Family Households, 53.1% have children under the age of 18, 75.2% are married couple households, 3% are single parent male households, and 6.9% are single female parent households.

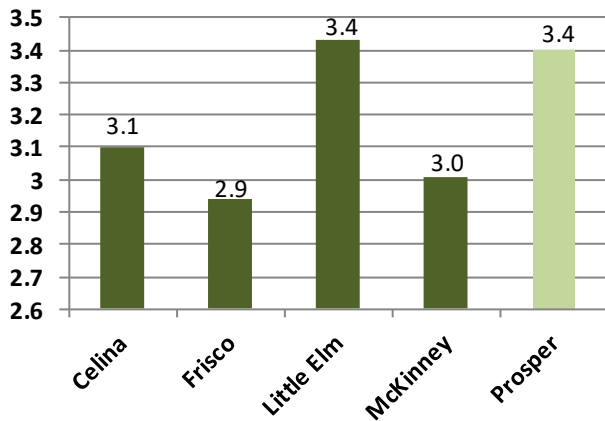
12.1% of the total households in Prosper are householder living alone.

## Housing Characteristics

Household type refers to how the people who live within a household are related, if they do not live alone. Generally speaking, Prosper contains a large number of married-couple households and households with children under the age of 18.

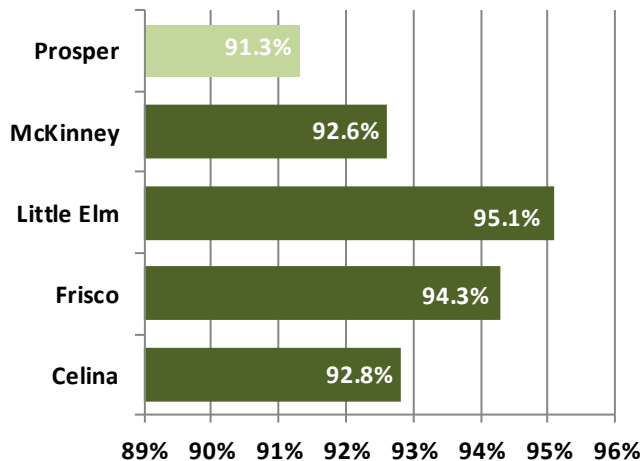
Within Prosper, the average household size is 3.4 persons per household (PPH) for single family dwelling units and 2.4 persons per household for multifamily units. The PPH for single family dwelling units is significantly higher than the State average of 2.81 PPH, Frisco at 2.94 PPH, and Celina at 3.10 PPH. Only Little Elm has a larger average household size than Prosper at 3.43 PPH. This data indicates a large number of families call Prosper home.

**Persons per Household (PPH)**



Source: 2010 Census

**Single Family Occupancy Rates**



Source: 2010 Census

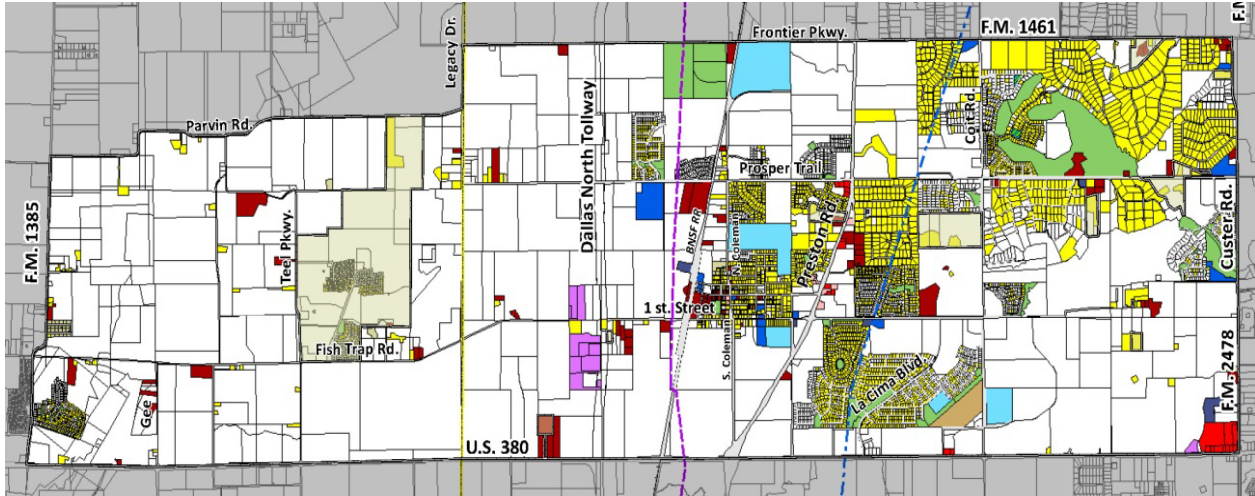
Occupancy rate is an important indicator of the local housing market and housing saturation. A high occupancy rate may indicate an immediate need for additional housing stock to accommodate new population growth. A low occupancy rate may indicate an oversaturation of homes in the housing market. Typically, healthy cities have at least a 90% occupancy rate, something fairly common in the rapidly growing DFW area.

Currently, Prosper has a 91.3% occupancy rate for single family dwelling units. This is indicative of a healthy housing saturation. The Town has a 94.5% occupancy rate for multifamily units. This too is a very healthy multifamily saturation rate.

PLANNING CONTEXT

Existing Land Use

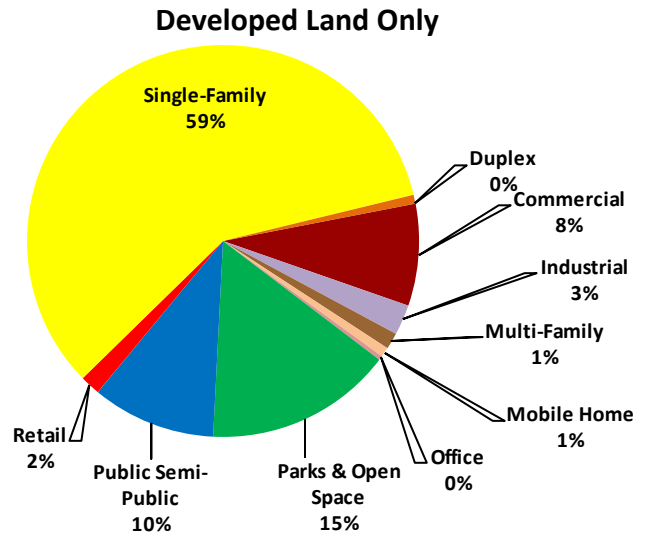
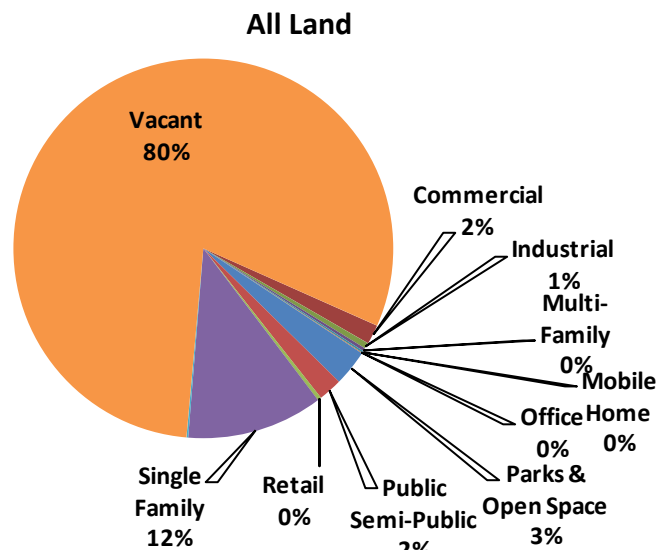
Plate 1: Existing Land Use



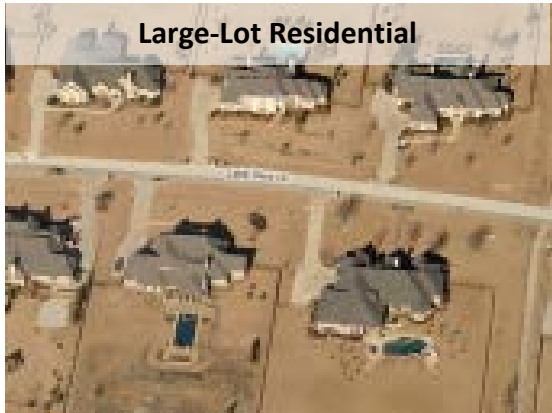
The existing land use of the Town of Prosper is predominantly characterized by vacant land. Within the Town boundaries, the majority of land, 80%, is currently vacant. This is a significant portion of land that will drastically impact the overall urban form of the community as it develops. While a majority of undeveloped property in Prosper has already been zoned, there may be opportunities to work with developers to incorporate the identified community vision. Such opportunities should be pursued, particularly as circumstances arise which necessitate zoning adjustments or changes.

When excluding vacant land and only examining developed land, the predominant land use in Prosper is single family residential. Parks & Open Space constitutes the second highest land use followed by public/semi-public and commercial. Discussed previously, very little residential variations currently exist. Additionally, only 2% of the developed land use is currently occupied by retail.

Figure 3: Existing Land Use



PLANNING CONTEXT



**Development Patterns**

The majority of development within Prosper has occurred over the past decade, in conjunction with the rapid increase in population. The vast majority of development has been single family residential, although some retail has been added along Preston Road.

Most new residential construction has occurred to the east of Coleman Road and the original town center. Some residential development has begun on the western side of the planning area, with more expected in the near future. A significant number of large-lot homes were constructed in Prosper prior to 2005, coinciding with septic tank requirements that mandate a minimum lot size of 1 acre. As sewer service has been expanded and has become more readily available, lot sizes within new residential areas have become significantly smaller. In 2011, over 80 percent of approved housing permits were on lots under 15,000 square feet in size. In 2011, only 6 building permits were issued to lots at or above one acre in size while 51 permits, approximately 14 percent, were issued on lot sizes under 10,000 square feet.



The amount of vacant land within the community is advantageous, because it allows for new development opportunities on undeveloped land, rather than more expensive redevelopment. It will be important to ensure that the thoroughfare plan is coordinated with land use, to ensure that appropriate right-of-way is acquired during the subdivision of land. Additionally, it will be important to ensure connectivity is provided within and between new residential subdivisions, so that upon buildout, a connected street system serves the community.



Finally, a significant amount of infill land is available within the community. This land is located between subdivisions and along major roadways. It will be important to insure that development in these areas is compatible with adjacent residential subdivisions.

PLANNING CONTEXT

**Physical Development Patterns**

Local development patterns refer to the factors that have influenced the shape and growth of the Town. Understanding such features creates knowledge of how the Town can grow in the future. These patterns are divided into two primary categories: “Natural Constraints” which examine the geographical aspects of Prosper and “Man-Made Constraints,” which examine features which have been constructed or added to the Town.

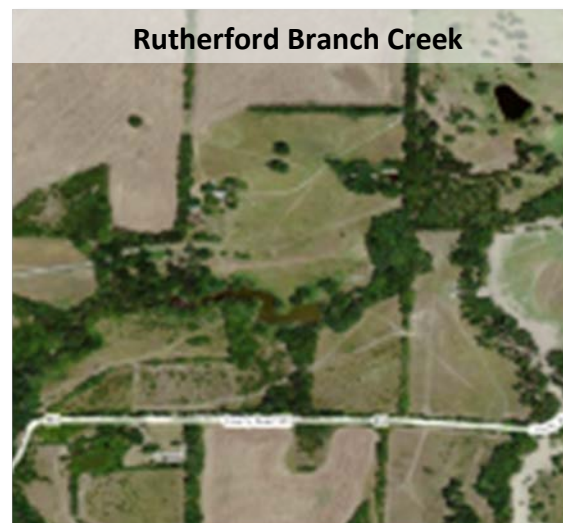
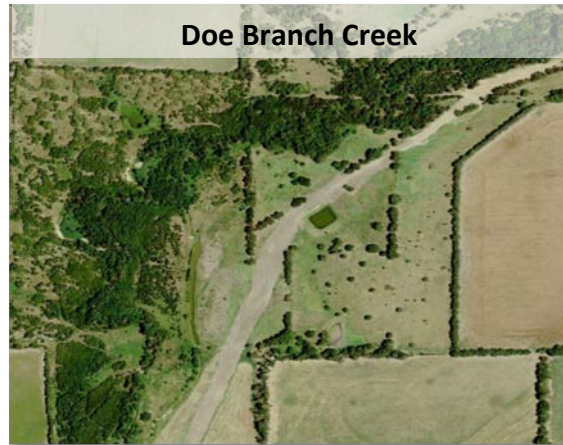
**Natural Constraints**

Natural features influence what type of development can occur and where such development can occur. Topography, soils, vegetation, and wildlife are all factors which can have a direct effect on development within the Town and are all important factors which should be considered during the planning process.

The Town of Prosper is located along a major ridge line which runs to the east of Preston Road. Areas to the west of the ridge line drain into Lake Lewisville. Areas to the east of the ridge line drain toward Lake Lavon.

Most topographical variations within Prosper are located along the major ridge line, near Preston Road. While a certain degree of topography exists within Prosper, the relative flatness of Prosper and the surrounding area is advantageous for accommodating future development.

The two largest floodplain areas are located in the extreme eastern and western portions of the community; Doe Branch Creek in the west and Wilson Creek and Rutherford Branch Creek in the east. The floodplain areas along Doe Branch Creek, Wilson Creek and Rutherford Branch Creek contain the most natural tree cover within the planning area.





PLANNING CONTEXT

Prosper Trail



Broadway Street



Dallas North Tollway, Frisco

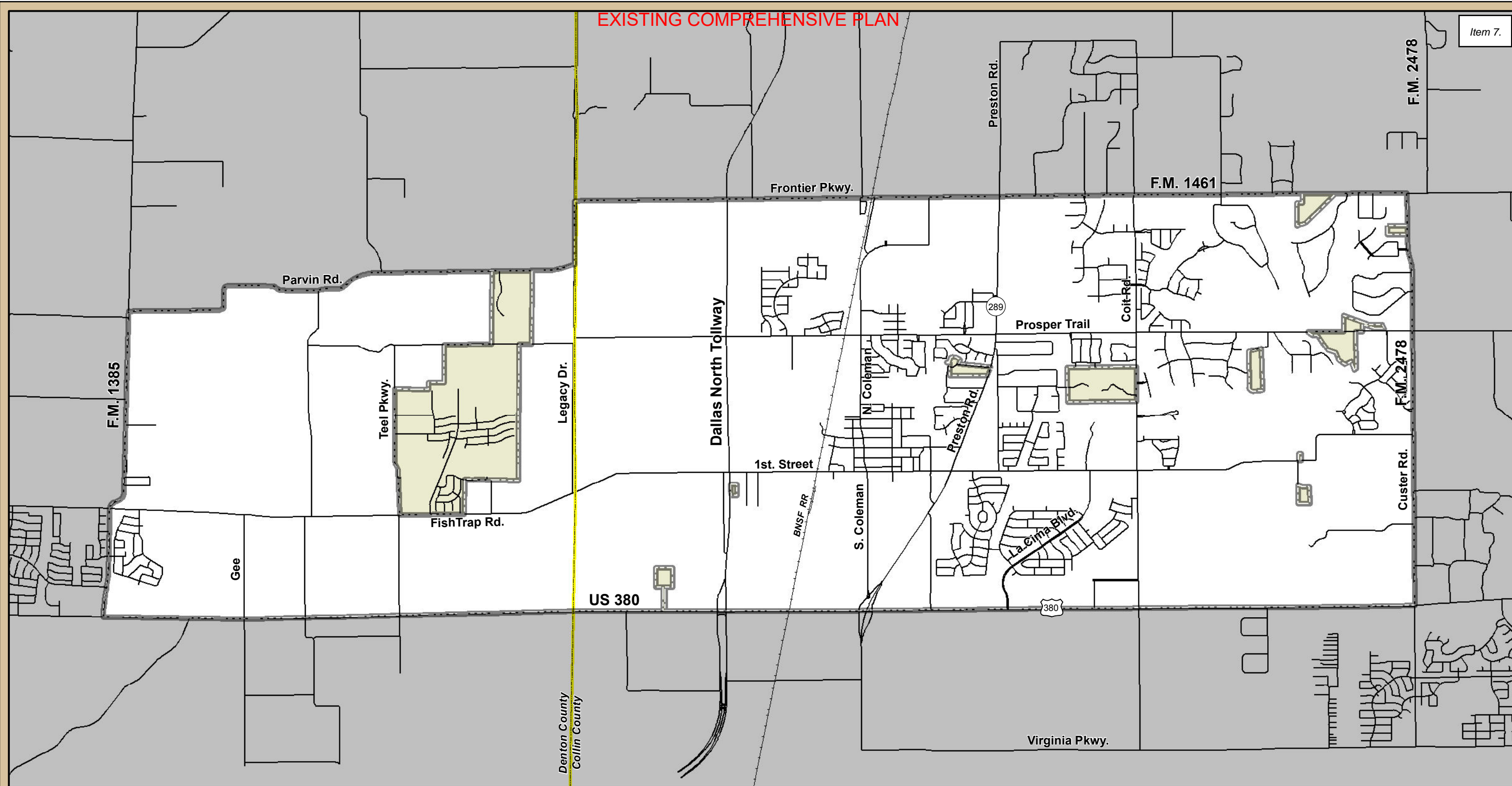


**Man-Made Features**

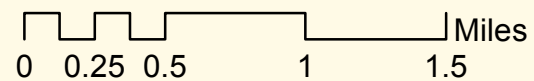
The importance of man-made features, such as transportation facilities, Town boundaries and infrastructure, are significant factors that greatly influence development patterns. The following discussion relates to the significant man-made features which currently exist within Prosper.

Preston Road, Highway 380 and the future Dallas North Tollway are the major arterial roadways within the community. As development occurs, Teel Parkway, Legacy Drive, Coit Road, FM 1385/Gee Road and Custer Road will grow in importance and will provide additional north-to-south corridors within the community. Prosper Trail and First Street will serve as major east-to-west corridors within the community. In addition to these roadways, the Dallas North Tollway will serve as a major transportation addition within the community and will increase accessibility within the community, will provide quick access to the regional highway network and will serve as a catalyst in attracting new development.

In the State of Texas, the extraterritorial jurisdiction (ETJ) refers to the land that an incorporated community may legally annex for the purpose of planning and accommodating future development. The Town has entered into boundary agreements with Frisco, McKinney, Celina and Little Elm and has no plans to expand west of FM 1385 at this time. For this reason, the general planning area for the Town is established and well-defined, allowing the Town to concentrate on the annexation of internal properties. The advantage of a defined Town boundary is knowing exactly where Prosper is able to grow. This enables Town staff to more effectively plan for growth, particularly the necessary infrastructure that will be needed to accommodate future growth within the Town boundaries.



January 2012



**Legend**

-  TOWN
-  ETJ

**City Limit  
and  
ETJ**



PLANNING CONTEXT

**Planning Context**

In order for this Comprehensive Plan to truly be comprehensive, it will be important to consider the context in which the Plan is being created. The planning context includes a number of different factors including current and past planning efforts, regional initiatives, and external issues that, although may be beyond direct control of the community, have the ability to directly impact growth decisions, primarily the Dallas North Tollway extension. Building upon past planning efforts and considering external factors which impact Prosper's growth will allow for realistic growth assumptions to be made and will help to insure a cohesive, inclusive and truly comprehensive plan.



**Planning Efforts**

*2004 Comprehensive Plan*

In 2004, The Town adopted a Comprehensive Plan to guide land use decisions within the community for the next 5 to 10 years. This Plan included the development of a future land use and community framework scenario and also examined the thoroughfare system and infrastructure of the community.

Land Use decisions made during the 2004 Comprehensive Plan will be examined and evaluated to determine if changes are necessary. Various development plans and agreements have been submitted to or approved by the Town. Updating the Future Land Use Plan will re-examine the community's vision and values. While the majority of land within Prosper is zoned, an updated Future Land Use Plan will provide the framework for discussions and negotiations with developers as changes to zoning occur.

It is typically recommended that a Comprehensive Plan be updated every 5 to 10 years, depending upon how rapidly the community is growing. Since 2004, Prosper has continued to grow quite rapidly, necessitating the review and update of the Comprehensive Plan.



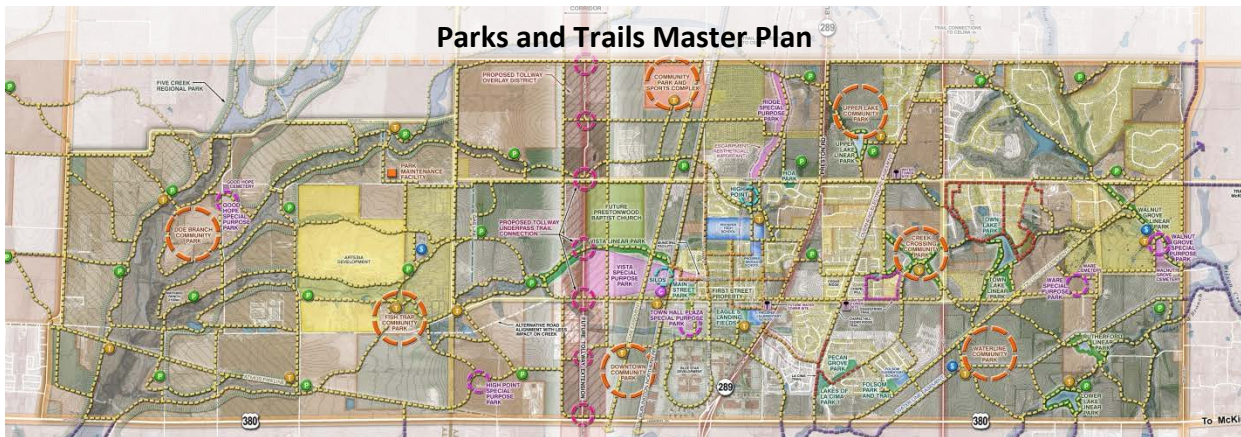
# PLANNING CONTEXT

## 2007 Parks Recreation and Open Space Master Plan

In 2007, the Town completed a Parks, Recreation and Open Space Master Plan (Parks Plan) to direct the growth of the Town’s parks and trails as the community grows over the next several decades. The importance of the Parks Plan cannot be understated. Parks provide recreational opportunities for community residents and help to increase the overall quality of life of the community. In the same manner, trails provide recreational opportunities for residents to walk, run or bike throughout the community. Trails provide access to open space, parks, schools, community facilities and help to link various areas of the community to one another.

As development occurs, incremental implementation of the Parks Plan will occur. Ensuring that it is updated as changes occur, will help the Town leverage and negotiate with developers as vacant land is developed, ultimately enabling the Town to impose a proportional cost of park development on developers.

It will be important that the Parks Plan be consulted by Town decision makers as development proposals are received. While slight deviations may be permitted to accommodate site layouts, the location of parks and trails have been chosen for intentional reasons and therefore the general locations of trails and parks should be adhered to as close as possible.



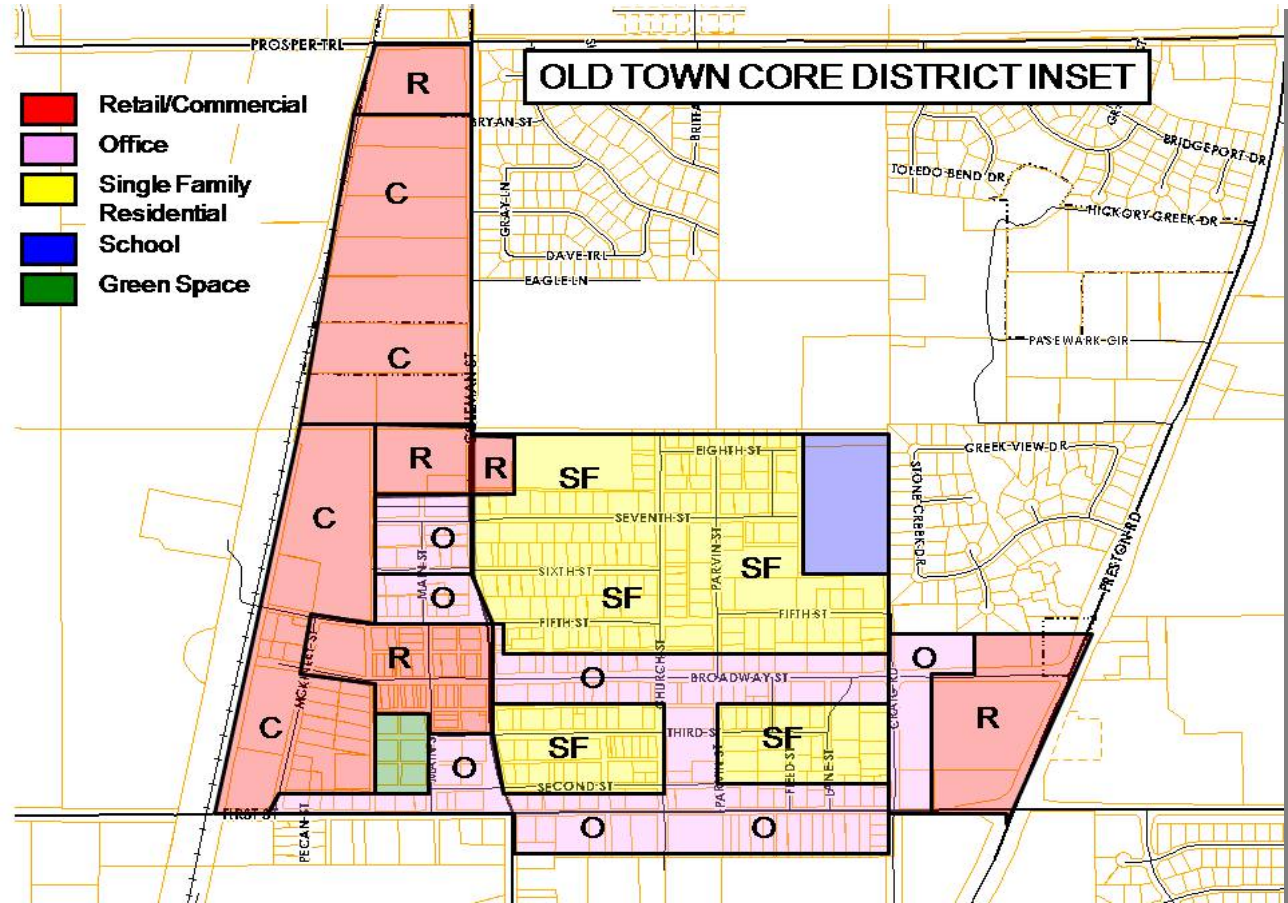
PLANNING CONTEXT

2007 Old Town Core District Amendment

In 2007, the Town created the Old Town Core District Amendment to guide the land use development of Old Town. This area serves as the historical core of the community and the visible center of Prosper. While other areas of the community are currently more opportunistic for development due to vacant, available land, the core of the community cannot be forgotten. The history of Prosper is rooted within this area. Commercial, retail, office and single-family residential uses were applied within the Old Town area in addition to areas of green space and the school location. The planning efforts conducted by the Town in 2007 will be built upon during the creation of this Plan in order to insure consistency.



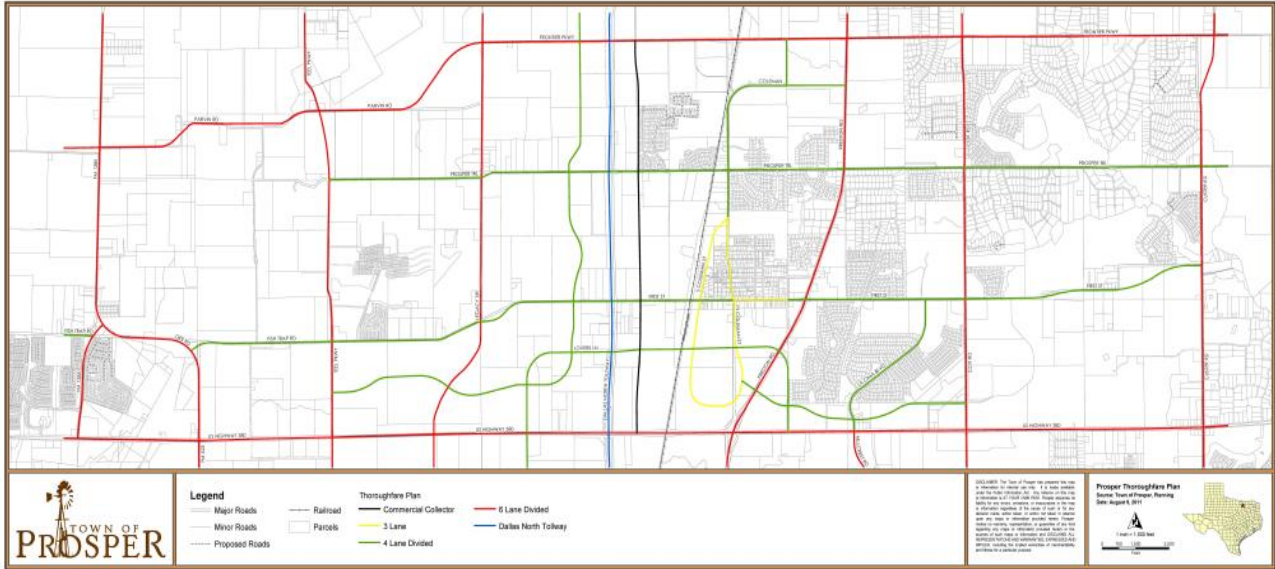
2007 Old Town Core District Map



# PLANNING CONTEXT

## 2010 Thoroughfare Plan

The Town of Prosper completed an update to its Thoroughfare Plan in 2010, re-examining issues and redefining the Town’s roadway network. This Plan will build upon previous work efforts and will seek to coordinate land use decisions with previous transportation efforts. Any changes that result from land use decisions will be included as recommendations within this Plan and should be considered as the future Thoroughfare Plan update is made.



## 2008-2010 Annexation Plan

The Town of Prosper has taken a proactive approach towards defining its planning area. Annexation is a tool that communities use to proactively manage growth and ensure that future growth meets the established standards set by the community. This is particularly important due to the number of Municipal Utility Districts (MUD’s) that have developed along Highway 380, in Celina and other areas around the Metroplex.

State law requires any community engaging in annexation to have a three year annexation plan. The annexation plan for Prosper was done in three phases: 2008, 2009 and 2010. The 2008 phase included 14 properties that were primarily confined to the center and southeastern areas of the community. The 2009 phase included 12 properties on the northwestern and west central areas of the community. Finally, the 2010 phase included 9 properties on the far western side of the community.

Annexation phases coincided with a desire by Town Council to annex everything inside the Town’s boundaries defined by boundary agreements with Frisco, McKinney, Celina and Little Elm (FM 1385, Frontier/Parvin, Custer and Highway 380).

With the exception of the Artesia Municipal Utility District, only a few parcels of land remain to be annexed within the Town’s boundaries. Artesia may be considered for annexation at some point in the future.

PLANNING CONTEXT

**Prosper ISD**

Throughout the planning process, schools have been identified as one of the single most important features of the Town. As the Town continues to grow, it is of prime importance that the exemplary status and reputation of Prosper’s schools be maintained.

While the Town and Prosper Independent School District operate as two separate entities, they are inevitably related to each other. Growth in the Town increases the overall tax base and provides revenue for the School District. Additionally, excellent schools enable the Town to continue to attract new residents and new development.

The Town and Prosper ISD should therefore be in direct communication, clearly identifying areas of growth and assessing future educational needs. Communication between the Town and PISD will inevitably allow for coordinated infrastructure decisions, such as when new roads allowing access to new schools should be constructed.

The Town and Prosper ISD should also coordinate on population growth rates and potential future school locations. Establishing a working relationship between the two entities will benefit the Town, PISD and the residents of Prosper themselves.



# PLANNING CONTEXT

## Regional Initiatives

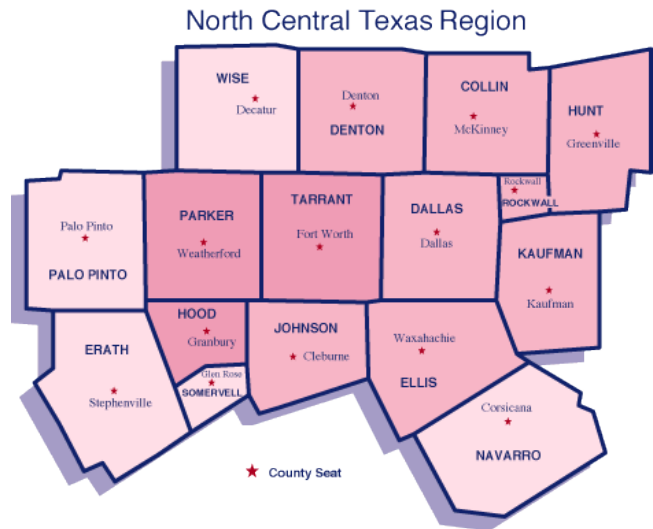
### North Central Texas Council of Governments (NCTCOG)

NCTCOG is the metropolitan planning organization that encompasses the 16 county North Texas region. NCTCOG works to promote orderly and balanced growth within the North Texas region. The metropolitan transportation plan created by NCTCOG, known as Mobility 2035, contains a number of different components including arterial roadway networks, freeways, rail transit and a Veloweb Network (regional trail system).

Coordination with NCTCOG will help to streamline projects within Prosper, particularly if outside funding is desired or necessary. Typically, funding is awarded to projects which show planning and coordination at multiple levels. Ensuring that future roadway and transportation plans by the Town are coordinated with NCTCOG will help Prosper attract investment from both the public and private sector and will ensure that roadways are better coordinated between adjacent communities.

In addition to transportation, there are various grants that are awarded to communities in North Texas by NCTCOG. These grants are used to incentivize regional cooperation without requiring compliance. NCTCOG has established the Center of Development Excellence which provides 12 guiding principles that it recommends communities to consider. Communities in North Texas are encouraged to incorporate these principles, where best applicable, and are awarded grants and additional funding to help communities with

some of the initial costs, studies and plans associated with quality planning.



**12 Principles**

- Development Diversity
- Efficient Growth
- Pedestrian Design
- Housing Choice
- Activity Centers
- Environmental Stewardship
- Quality Places
- Efficient Mobility Options
- Resource Efficiency
- Educational Opportunity
- Healthy Communities
- Implementation

[www.developmentexcellence.com](http://www.developmentexcellence.com)



COMMUNITY VISION

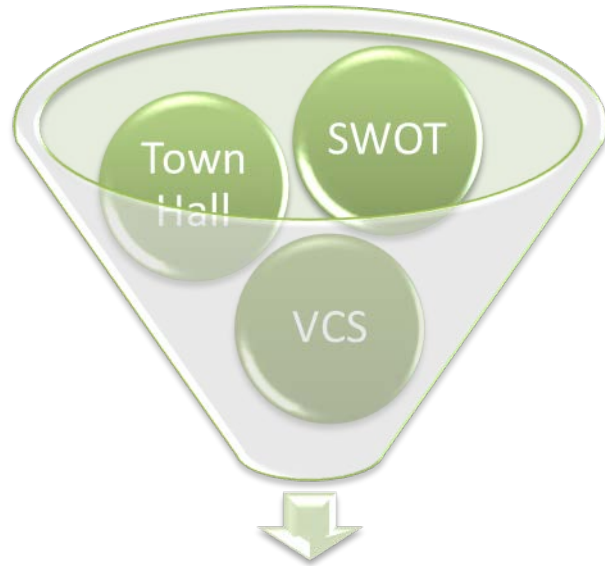
**Community Vision**

A fundamental component of the comprehensive planning process evolves around the vision of the community. The importance of the vision cannot be overstated—the vision guides land use decisions and allows Town staff and decision makers to determine whether or not decisions are ultimately in conformance with the long term vision for Prosper, as defined by its residents. In other words, the vision is the roadmap that guides decisions within the community and serves as the basis for the Future Land Use Plan and policy recommendations.

For this Plan, the visioning process was guided by a Comprehensive Plan Advisory Committee (CPAC) and included several deliberate exercises. The visioning process included:

- **Seven CPAC Meetings**
- **CPAC SWOT Analysis**
- **CPAC Visual Character Survey (VCS)**
- **Two Town Hall Meetings**
- **Town Hall Brainstorming Groups**
- **A Public Visual Character Survey on the Town’s website**
- **Public Hearings During Adoption.**

The following pages contain the who and the what of the visioning process, highlighting the various groups involved, exercises used and preliminary results derived from the visioning process.



**Community Vision**

*Every community is distinctive and has its own set of values, aspirations and objectives. The purpose of the visioning section is to determine the ultimate vision of the community based upon resident input.*

**Unique, Distinctive, Exceptional**

*The community vision is used to guide the formation of the comprehensive plan and is ultimately used by decision makers as they weigh the vision with development proposals and future opportunities.*



## COMMUNITY VISION

### Comprehensive Plan Advisory Committee

Jason Dixon, Chair  
 Craig Moody, Vice Chair  
 Ane Casady, Secretary  
 Kelly Cooper  
 Mark DeMattia  
 Michael Goddard  
 Kyle Huckelberry  
 Ann Lieber  
 Meigs Miller  
 Eric Nishimoto  
 Jordan Simms  
 Daniel Ting  
 Doug Trumbull

### Comprehensive Plan Advisory Committee (CPAC)

A committee of community residents and business owners was compiled in order to assist in the development of the Plan. Committee members were selected based upon a variety of criteria including the area of the community where they reside, past or current council experience, economic development knowledge and business ownership. The CPAC's role in the process was to guide the formation of the Plan document and ensure that the Plan created ultimately reflected the vision desired by Prosper residents.

Seven meetings were conducted with the CPAC:

- Orientation Meeting on May 2, 2011
- Visioning Meeting on June 6, 2011
- Future Land Use Meeting on September 12, 2011
- Livability Meeting on October 10, 2011
- Economic Analysis, Transportation and Infrastructure Assessment on November 14<sup>th</sup>, 2011
- Transportation Continued and Plan Review on December 14, 2011
- Town Hall Review and Final Comments on March 19, 2012

All CPAC meetings were conducted at 6:30 p.m. and were open to the public. Community residents and representatives from the development community were present at several meetings.

Energized and productive discussions were had at CPAC meetings, representative of the diverse opinions and backgrounds present on the committee. The exchange of ideas with various points of view ensured a thorough process where the realities of external factors affecting Prosper were weighted with the ultimate vision of the Town.

## COMMUNITY VISION

### Vision Statement

A vision communicates the reason for existence, the purpose behind planning and the overall goals of a community from a long-range planning and development perspective. The primary benefit of visioning is that it clarifies how a community will approach its critical planning, development and growth issues. With the clarified approach that visioning provides, the resulting Plan will better address the future of the Town in a manner that is reflective of the community’s interests.

The vision statement for a community should describe the community as it will ideally exist in the future. A vision statement spells out goals or values at a high level and promotes what the Town should become. The vision statement for this Plan is as follows:

*Prosper is a community committed to excellence. It is a high quality, family oriented community maintaining a visually aesthetic open feel with quality commercial development directed to the Town’s major transportation corridors all while maintaining strong fiscal responsibility.*



# COMMUNITY VISION

## Visual Character Survey


A Visual Character Survey (VCS) is a technique in which respondents are asked to score a series of photographs based on what they find to be visually preferable for Prosper. The images used are selected in order to illustrate different aesthetic, architectural, and visual elements within any particular built environment and are used in order to quantify exactly what types of developments are desired and appropriate for Prosper. Although the VCS is not necessarily scientific in nature, it is an effective method of receiving attitudinal, aesthetic-based input.

Three VCS surveys were conducted for this Plan. The first survey was conducted with the CPAC at the June 6, 2011 meeting. The second VCS was made available through the Town’s website following the Town Hall meeting. Town Hall attendees were given a passcode in order to take this VCS. The third and final VCS was made available to the general public through the Town’s website and contained no passcode. This survey remained available for approximately 3 weeks. A total of 434 residents participated in the online VCS for the community.

The VCS for Prosper was divided into 8 categories:

- Dallas North Tollway
- Preston Road
- Highway 380
- Housing Mix
- Street Design
- Signage
- BNSF
- Public Space

Visual Character Survey



**Questions to Ask:**

- Is the image appropriate for this area?
- What is my first impression?
- Does this image fit into the long-term vision for Prosper?

1  
Very Inappropriate


2

3  
Neutral

4


5  
Very Appropriate

Dallas North Tollway



3

Housing Mix



93

## COMMUNITY VISION

**Town Hall #1**

A Town Hall meeting was conducted on Monday June 27, 2011. The purpose of the Town Hall meeting was to gather feedback from the public on what the vision for Prosper should be. Over 140 residents from the community attended the event that was held at Prosper High School.

Town Hall attendees were first given an introduction to the planning process. During this presentation, an overview of past planning efforts, existing conditions and growth patterns within our region was explained. The presentation concluded by informing residents of the planning process as well as introducing members of the Comprehensive Plan Advisory Committee to attendees.

A visioning exercise was conducted with attendees in order to engage the public and gather initial feedback on Prosper's future. Topic tables were arranged so that each participant in attendance would rotate to each of the following tables:

- Land Use/Corridors;
- Transportation;
- Housing;
- Livability; and
- Community Identity.

At each of the tables, a member of the CPAC, Town staff or consultant guided discussion on each group's major issues, concerns or ideas. Issues gathered were then compiled and presented to the CPAC to guide discussion on elements within the Plan.



# COMMUNITY VISION

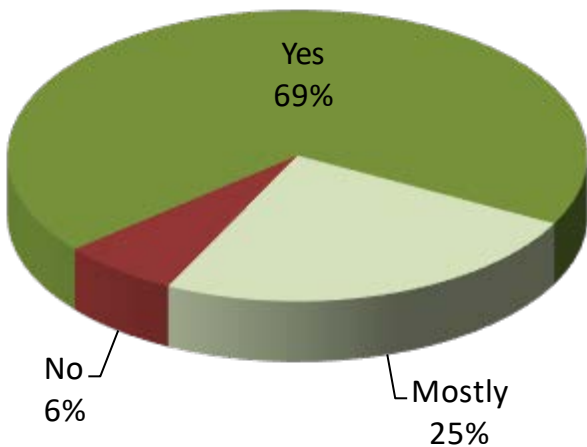
## Town Hall #2

On February 13, 2012, a Town Hall meeting was conducted at Prosper High School in order to present the Draft Comprehensive Plan to the public and to gather comments and feedback from the public on plan recommendations. Over 275 attendees were present at the meeting. Attendees participated in round table discussions where individualized feedback on plan recommendations was obtained. Participants were asked whether the Draft Plan accurately described the vision for Prosper, if there were any components of the plan that excited them, if there were components of the plan that concerned them and finally were asked to prioritize a list of issues based upon their personal order of importance.

The information collected from Town Hall attendees was then tabulated in order to identify consistent themes and priorities from the public. This information was discussed with the CPAC and necessary clarifications and/or text modifications to the Draft Plan were made.



### Question #1: Does the Plan Accurately Describe the Community's Vision for Prosper?



## COMMUNITY VISION

### Community Goals

Community goals are created to direct the formation of the Plan. They are practical yet general points under which more specific objectives may be located. The goals for the Plan are purposely designed to cover a wide array of individual objectives, but were specifically crafted to address many of the comments, issues, ideas and concerns defined during the visioning portion of the Plan's creation.

The following goals are intended to provide a framework for the creation of applicable and economically feasible land use decisions and special districts. The goals are also intended to establish guidelines for preserving Prosper's neighborhoods and creating quality new residential areas, maintaining and enhancing Prosper's quality of life and physical characteristics, providing a safe and attractive transportation network and ultimately ensuring that the Town's infrastructure systems will be adequate to accommodate 20-year growth. Plan objectives are located within the Implementation Chapter of this Plan.

- Goal 1: Provide a variety of land uses, in accordance with the vision of Prosper residents, which diversify the tax base and enable all types of people to live, work, shop, eat and relax in Prosper.**
- Goal 2: Maintain and enhance the high quality of life and small-town feel currently available and expected by Prosper residents.**
- Goal 3: Protect the quality and integrity of Prosper's neighborhoods.**
- Goal 4: Require high-quality and visually attractive architectural characteristics in both residential and non-residential developments.**
- Goal 5: Develop quality, open roadways that enhance the Town's rural image, are compatible with adjacent development and provide safe and convenient traffic movements.**
- Goal 6: Ensure that water, wastewater and stormwater infrastructure systems are able to meet future growth demands.**



# COMMUNITY CHARACTER

## Future Land Use

The right of a municipality to coordinate growth is rooted in its need to protect the health, safety, and welfare of local citizens. An important part of establishing the guidelines for such responsibility is the Future Land Use Plan, which establishes an overall framework for the preferred pattern of development within Prosper. In general, the Future Land Use Plan is intended solely to be a comprehensive blueprint of Prosper’s vision for its future land use pattern. Specifically, the Future Land Use Plan designates various areas within the Town for particular land uses, based principally on the specific land use policies outlined herein.

The Future Land Use Plan is graphically depicted for use during the development plan review process with the Future Land Use Plan map. The Future Land Use Plan should ultimately be reflected through the Town’s policy and development decisions. The Future Land Use Plan map is not a zoning map, which deals with specific development requirements on individual parcels. The zoning map and changes in zoning should, however, be based on the Future Land Use Plan and related Future Land Use Plan map.

### Legal Authority

Authority of a community to create a comprehensive plan is rooted in Chapters 211, 212 and 213 of the Texas Local Government Code.

### Chapter 211

Chapter 211 of the Texas Local Government Code allows the government body of a community to regulate zoning.

### Chapter 212

Chapter 212 of the Texas Local Government Code allows the governing body of a community to regulate subdivision development within the community limits and also within the Extraterritorial Jurisdiction (ETJ) which varies depending upon the population of the community.

### Chapter 213

Chapter 213 of the Texas Local Government Code allows the governing body of a community to create a comprehensive plan for the “long-range development of the municipality.” Basic recommendations for comprehensive planning are to address land use, transportation and public facilities, but may also include a wide variety of other issues determined by the community.

It is important to note that a comprehensive plan is NOT a zoning ordinance, but rather is intended to be used as a tool to guide development, infrastructure and land use decisions in the future. The comprehensive plan does, however, serve as a basis on which zoning decisions are made, as specified by Chapter 211 of the Texas Local Development Code.





# COMMUNITY CHARACTER

## Process

The Future Land Use Plan was derived through a defined and deliberate process. Existing land uses, development agreements and planned developments were combined with extensive public input in order to create a Future Land Use Plan that is both realistic, attainable and reflects the public’s vision for Prosper’s future.

The first consideration was existing land use. Existing land use includes analyzing past development trends and working to ensure that future growth occurring within the community coincides with existing development patterns and does not negatively impact the integrity of existing neighborhoods.

An examination of potential planned developments was the second step. This involved an understanding of existing development agreements that are in place within Prosper. Understanding what types of development may occur in the future helps to determine what the adjacent land uses should be.

Finally, an extensive public input process was conducted with the general public and the CPAC. The public and CPAC described the characteristics which should define Prosper and identified many of the needs within the community.

Additionally, a VCS was conducted with attendees of the CPAC, Town Hall meeting and the general public. A significant number of responses were received and the results of the survey helped to determine the visual aesthetics and development characteristics that were felt to be appropriate within Prosper.

The results of this process ultimately concluded in a land use scenario for the Town. This land use scenario is not a mandate, but should be used to guide Town staff and decision makers as development intensifies in the coming years.



# COMMUNITY CHARACTER

## Land Use Types

### Residential Low Density

This land use is indicative of large-lot single-family homes. Typically speaking, lot sizes within any low density development will range between 15,000 square feet and 1+ acre in size. While a variety of lot sizes may be used, the total gross density of low density residential neighborhoods should not exceed 1.6 dwelling units per acre. Large-lot homes will provide a continuation of the rural atmosphere and feel that was intensely expressed by Prosper’s residents. Most low density residential areas will be located in Northwest and Northeast Prosper.



### Residential Medium Density

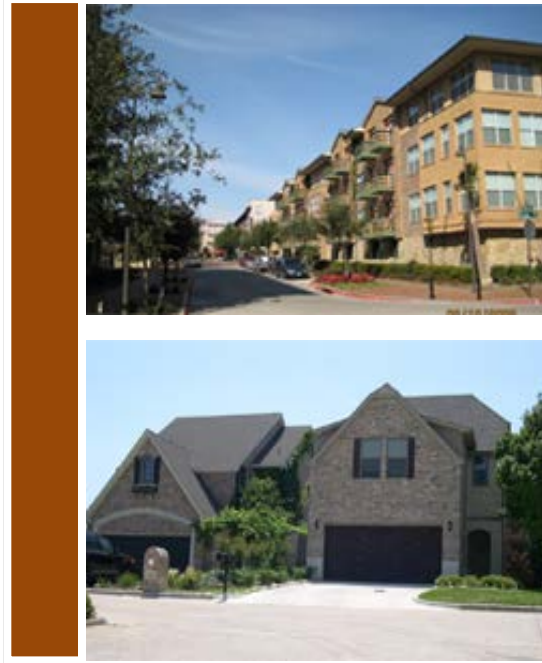
Medium density residential is also representative of single family detached dwelling units. Lot sizes in medium density residential neighborhoods could range between 12,500 and 20,000 square feet in size. A variation in lot sizes may be permitted to achieve a goal range in density. While a variety of lot sizes may be used within medium density residential neighborhoods, the gross density of such developments will typically not be less than 1.6 dwelling units per acre or greater than 2.5 dwelling units per acre.



# COMMUNITY CHARACTER

## Residential High Density

High density residential represents the most intense residential land uses permitted in Prosper. High density single family uses will consist of developments greater than 2.5 dwelling units per acre and lot sizes smaller than 10,000 square feet. Within Prosper, the high-density residential district is reflective of the Artesia development, where single family residential lot sizes and dwelling units per acre will be substantially higher than the rest of the community. High density residential may be located within the Dallas North Tollway, Highway 380, Town Center and Old Town Districts. In such areas, high density residential may take the form of multifamily or single family attached dwelling units and may include mixed-use lofts/apartments, patio homes, snout houses, brownstones and townhomes.



## Retail and Neighborhood Services

Neighborhood services typically include retail establishments that provide merchandise for retail sale, banks, neighborhood office and small medical offices. Retail uses are particularly important because they contribute to Prosper’s tax base through both property and sales taxes, making their inclusion attractive and often times competitive. Within Prosper, neighborhood service uses will likely occur at major intersections along the Dallas North Tollway, Highway 380 and Preston Road corridors. Neighborhood service uses should also be strategically placed along the Town’s perimeter in order to attract patrons from neighboring communities, enhancing sales tax revenue opportunities. The majority of neighborhood service activity within Prosper will likely be included within the Dallas North Tollway, Highway 380, Town Center and Old Town districts.



COMMUNITY CHARACTER

**Dallas North Tollway District**

The Dallas North Tollway district will consist of the most intense land uses within Prosper. A diverse mixture of office, retail and residential will likely develop along the corridor. Mid-rise office (up to 12 stories) may be permitted throughout the corridor. Office buildings should be designed for a “campus feel”—they should be oriented towards common public space with significant landscaping and should be linked by a pedestrian network. A common architectural theme should also be established for a consistent visual appearance. Mixed-use development should be encouraged and should contain a mixture of office, retail and residential uses. Mixed-use lofts/apartments would be the most appropriate residential use within this district. Structured parking should be encouraged in more intense areas to limit the presence and visibility of large parking lots. Structured parking should be oriented in a way that minimizes visibility from the Tollway.



**Highway 380 District**

Much like the Dallas North Tollway district, the Highway 380 district will contain a variety of different uses. The major contrast between Highway 380 and other districts will be the inclusion of a big box development and commercial service uses. Types of appropriate commercial include hotels, banks, vehicle refilling stations with a convenience store, home service centers with outside storage, garden center with outside storage and other similar uses which serve the community but are not necessarily desired on Preston Road or within the Dallas North Tollway corridor. Residential land uses may be appropriate within certain areas, particularly away from major intersections where retail and commercial will be the highest and best land use. Residential land uses may include patio homes, snout houses, townhomes and brownstones. These residential areas may serve as a buffer between more intense activity along Highway 380 and low density residential areas to the north.



## COMMUNITY CHARACTER

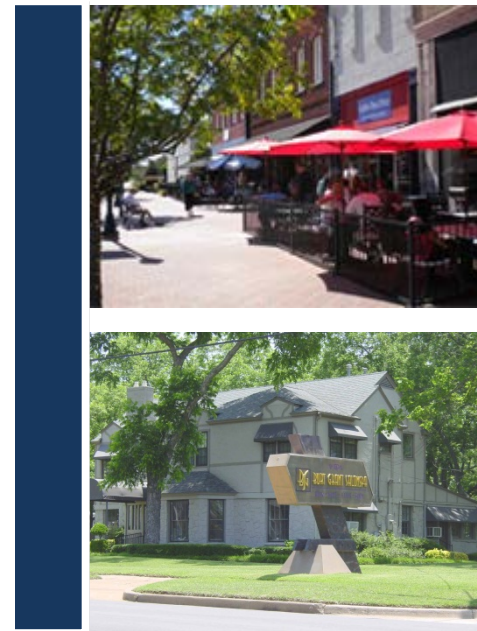
### Town Center District

The Town Center district is a continuation of the area defined by previous planning efforts as a future location for a large scale mixed-use development. The Town Center would include a mixture of land uses but development will be less intense than that located along Highway 380 and the Dallas North Tollway. Retail, small scale office, and residential uses would be included within this district, but the primary intent should be focused on dining and shopping. Public space should be a major component of this area, creating space for families and residents of Prosper to meet and socialize. Open space located within the Town Center could be used for community events, festivals and school events. Urban design should accommodate the pedestrian while providing automobile access and discreet parking. Residential uses may include mixed-use lofts/apartments, patio homes, townhomes and brownstones. Areas of single family residential may also be permitted, particularly on the northern side where the development abuts the Old Town district.



### Old Town District

The Old Town district is the heart of Prosper. This historic area of the community is intended to include a variety of boutique type land uses, ranging from unique and local retail establishments, restaurants and offices. Many of the historic homes within the Old Town district, particularly areas along First Street and Broadway, may gradually convert to boutique office and retail establishments. The most opportunistic possibility for a transit stop, if desired by future residents, would be within the Old Town district, which could facilitate redevelopment of the downtown area. If this occurs, high density residential options, such as live-above lofts/apartments, may be considered. The historic past of the community should be preserved. The community's beginnings as a farm community in rural Collin County are part of what defines Prosper, and these attributes should be preserved as new infill development occurs.



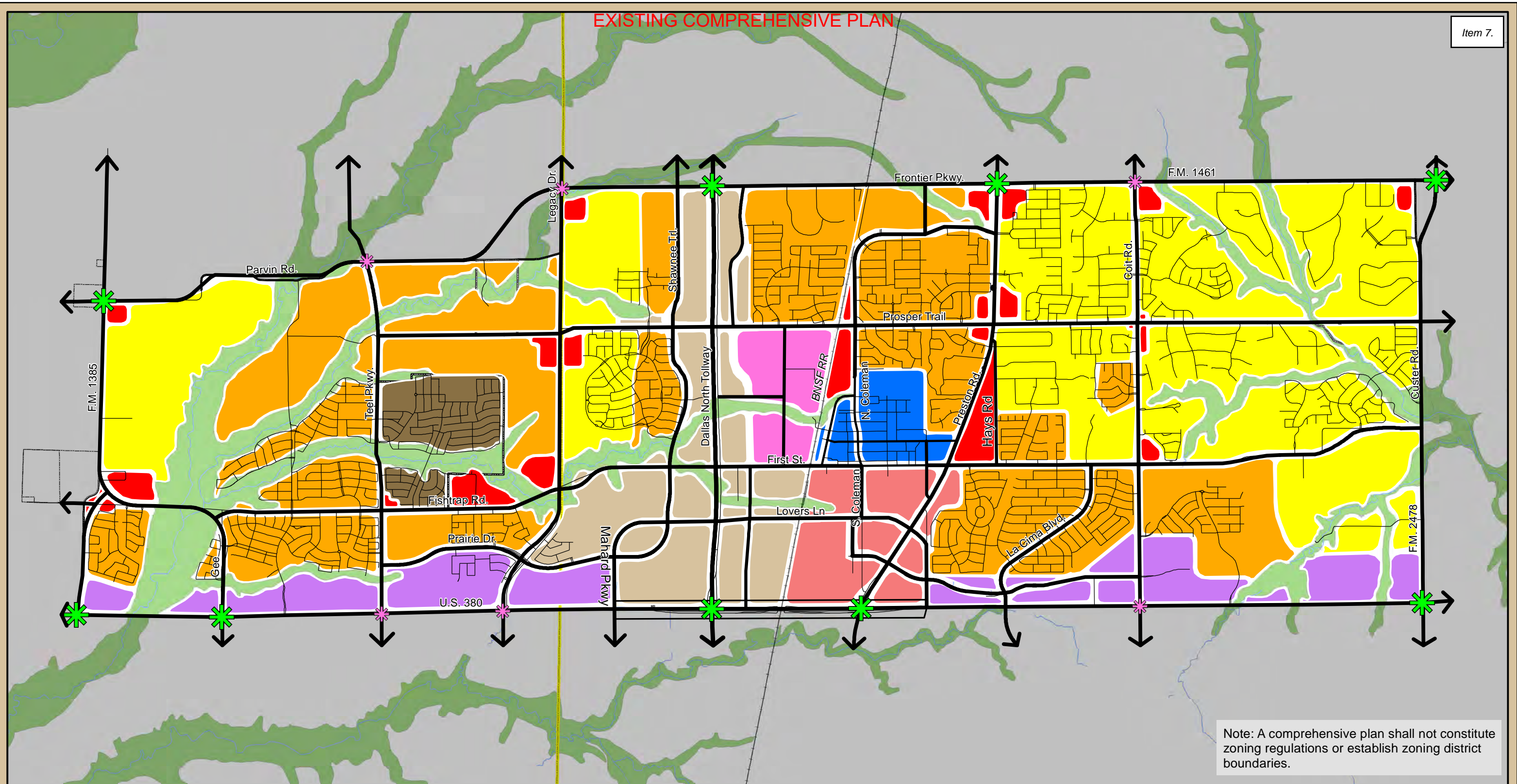
# COMMUNITY CHARACTER

## Business Park

A Business Park district, located to the west of the BNSF Railroad between Prosper Trail and First Street, will include a variety of potential land uses including light industrial, commercial warehousing, office storage and commercial uses with outside storage. While outside storage will likely occur and be necessary within this district, significant effort should be placed on the visual integrity of the district, particularly when located in higher visibility areas. When such uses abut roadways, larger landscape setbacks, such as 40 feet setbacks, that include berms and evergreen shrubs/trees should be used to protect the visual integrity of roadways and the public view. All outside storage should also be screened from public view and from adjacent properties. The location of the BNSF railroad and close proximity to the Dallas North Tollway provide the Business Park with significant accessibility. Uses located along First Street, Prosper Trail and other perimeter areas should incorporate a higher degree of landscaping and architectural design in order to protect the visual integrity of Prosper's roadways.

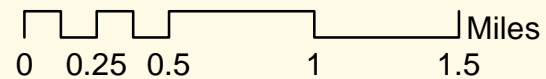


EXISTING COMPREHENSIVE PLAN



Note: A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

Updated February 2020



Legend

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Retail & Neighborhood Services
- Business Park
- Old Town District
- Town Center
- Tollway District
- US 380 District
- 100 Year Floodplain
- ✱ Major Gateway
- ✱ Minor Gateway
- Town of Prosper
- ETJ

# Future Land Use Plan

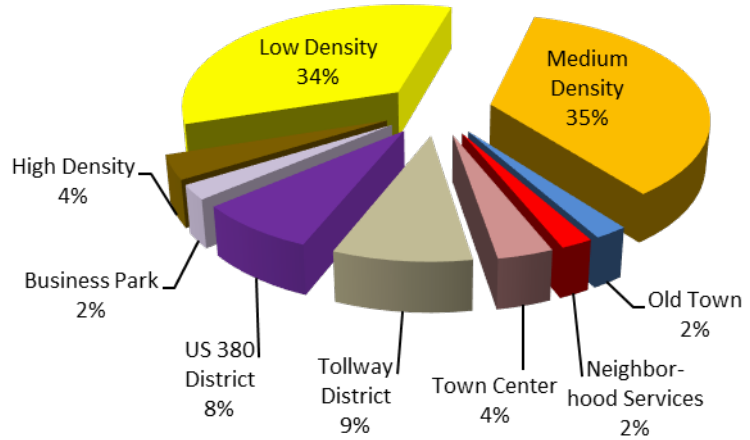


COMMUNITY CHARACTER

**Land Use Acreages**

Based upon the Future Land Use Scenario, medium density residential will constitute the largest future land use within Prosper at 35 percent, followed by low density residential at 34%. In terms of non-residential development, the Dallas North Tollway district will be the largest commercial district constituting 9% of the total land use in Prosper, followed by the Highway 380 district at 8%. In total, 73% of the total land in Prosper will be reserved for residential uses with the remaining 27% being a combination of retail, office, commercial and high density residential.

Figure 4: Future Land Use Acreage



**Ultimate Capacity**

The ultimate capacity for Prosper is based on the Future Land Use Scenario. Certain assumptions were made in order to calculate the Ultimate Capacity. For low density residential, lot sizes greater than 15,000 square feet, 1.2 dwelling units per acre was used for our assumptions.

For the purpose of estimating ultimate capacity, medium density residential includes lot sizes between 10 and 20,000 square feet in size. For purposes of our assumptions, an average of 2.3 dwelling units per acre was assumed for medium density residential.

High density single family residential is indicative of Artesia. Artesia is an existing Municipal Utility District, located in Prosper’s ETJ in Denton County, which has the right to develop 2,170 single family lots and 600 multifamily units. While Artesia is not currently located within the Town of Prosper, it is located in the Town’s planning area and therefore, is included in this Plan. Based upon actual dwelling units and acreage, a high density single family density of 4.8 DUA and multifamily density of 20 DUA was used.

Conservative estimates based upon developer agreements, planned developments and Town zoning indicate that over 5,000 more high density dwelling units may be built in Prosper. This number constitutes nearly 30% of the total dwelling units.





# COMMUNITY CHARACTER

Based upon the future land use scenario and the previous assumptions, the ultimate capacity for Prosper is approximately 69,300 residents, as delineated in Figure 5 below. Changes in overall development patterns that deviate from the Plan’s recommendations could significantly impact the ultimate capacity of the community.

Figure 5: Ultimate Capacity

| Land Use                             | Acreage       | DUA* | Dwelling Units | PPH** | Total Pop |
|--------------------------------------|---------------|------|----------------|-------|-----------|
| Low Density                          | 2,573         | 1.2  | 3,087          | 3.4   | 10,498    |
| Medium Density                       | 3,763         | 2.3  | 8,654          | 3.4   | 29,427    |
| High Density Single-Family (Artesia) | 450           | 4.8  | 2,170          | 3.4   | 7,378     |
| High Density Multi-Family (Artesia)  | 30            | 20   | 600            | 2.4   | 1,440     |
| High Density Residential             | -             | -    | 5,000          | 2     | 10,000    |
| Additional Population                | 58,743        |      |                |       |           |
| Existing Population                  | 10,560        |      |                |       |           |
| <b>Total Build-Out Capacity</b>      | <b>69,303</b> |      |                |       |           |

\*DUA (Dwelling Units per Acre)

\*\*Persons per Household

COMMUNITY CHARACTER

**Population Projections**

The Town of Prosper has experienced extremely rapid growth over the past several decades, which was discussed in more detail in the Planning Context. External factors seem to indicate that growth within Collin County will likely continue in the foreseeable future. Likewise, with the extension of the Dallas North Tollway through Prosper, it is very likely that rapid growth within the Town will also continue.

It is often difficult to calculate population projection growth rates for fringe communities, such as Prosper, particularly when such communities are in the beginning stages of their growth and maturity. It is therefore beneficial to examine a wide range of potential growth numbers including the historical growth rates of Prosper, its neighbors and Collin County, as a whole.

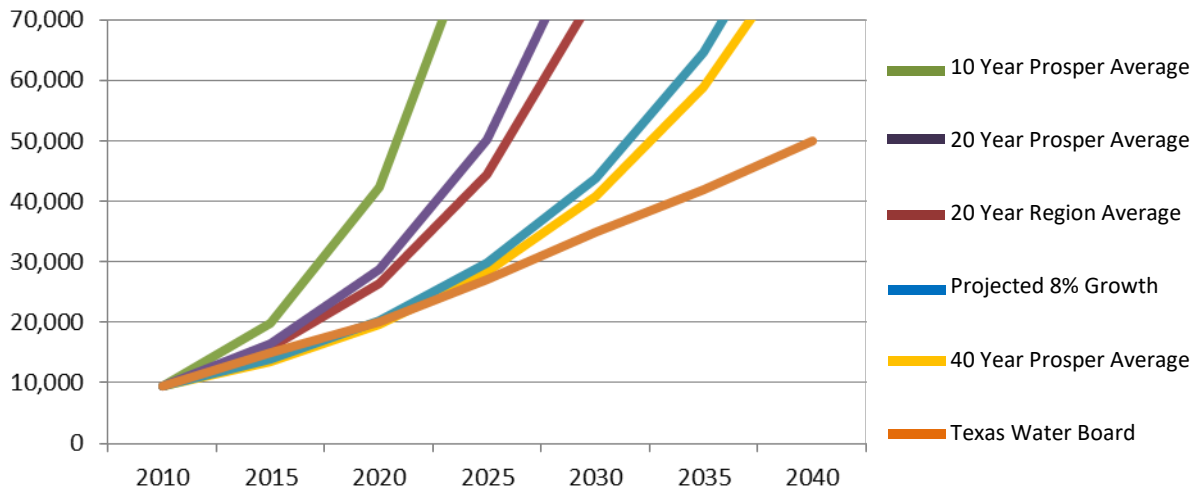
Six different growth rates were examined. A 7.6% growth rate is indicative of Prosper’s 40 year CAGR, a 10.9% growth rate is indicative of the average 20 year growth of Prosper, its neighbors and Collin County. An 11.8% growth rate is indicative of Prosper’s growth over the past 20 years, a 16.2% growth rate is indicative of Prosper’s growth between 2000 and 2010, and finally an 8.0% growth rate was used representative of the projected compound annual growth rate of Prosper through buildout.

Regional Population Growth

|               | 1990-2010 CAGR | Average |
|---------------|----------------|---------|
| Collin County | 5.6%           | 10.9%   |
| Celina        | 6.4%           |         |
| Frisco        | 15.8%          |         |
| Little Elm    | 16.3%          |         |
| McKinney      | 9.5%           |         |
| Prosper       | 11.8%          |         |

| Source                               | Percent Growth |
|--------------------------------------|----------------|
| Texas Water Board 50 Year Projection | 4.2            |
| 40 Year Prosper Growth Rate          | 7.6            |
| Projected Growth Rate                | 8.0            |
| 20 Year Regional Average             | 10.9           |
| 20 Year Prosper Growth Rate          | 11.8           |
| 10 Year Prosper Growth Rate          | 16.2           |

Figure 6: Population Projections



# COMMUNITY CHARACTER

## Community Livability

What does the term livability mean with regard to urban planning? Generally, livability reflects the characteristics, aesthetics, design and social aspects of Prosper that make the Town unique and which help to establish a sense of community. There are many intangibles that make a place livable, such as a sense of community, a strong sense of place in particular areas, civic pride and the friendliness of neighbors. There are also tangible aspects that can promote livability as well.



Prosper is a unique community with its own values and vision. The following section describes in more detail some of those tangible aspects that, when tailored to fit the needs and vision of Prosper, can help the Town to grow in a manner that enhances the quality of its neighborhoods and helps to create vibrant retail establishments. This section is intended to describe, in more detail, the characteristics of the Future Land Use Plan and is intended to be used to guide decision makers what the public believes the character of Prosper should be as it grows. This section includes a discussion of various land use concepts and how they apply to Prosper, general neighborhood characteristics, housing mix, corridors and image enhancement.

It should be noted a significant number of pictures in this section were taken directly from the Visual Character Survey that was made available to the public during August 2011.



## Livability Guidelines

- Preserve small-town, rural feel
- Maintain open spaces that create a quiet, open feel
- Provide a range of housing in Prosper, taking into consideration, among other things, data relating to income, education levels and ethnicities.
- “Raise the bar” on development/ attract quality development
- Attract neighborhood services, such as a grocery store
- Build a system of connected parks and trails for outdoor recreation
- Clearly brand and identify Prosper through gateways and other identifying features
- Provide entertainment venues for families
- Create high quality mixed-use centers where residents may shop, dine, socialize and live
- Enhance Old Town Prosper

# COMMUNITY CHARACTER

## Land Use Concepts

### Mixed-Use

Mixed-use refers to a development style that combines a mix of land uses within one defined zoning district. For example, residential, retail, restaurants, office and public uses may be allowed in the same building, same lot, same tract, block or zoning district. Benefits of mixed-use development include:

- Flexibility of building spaces over time;
- Long term viability of commercial districts;
- Providing higher quality high density residences;
- Inclusion of public facilities;
- Reduction in the frequency of vehicular trips; and
- Minimizing land consumption.

Mixed-use developments are defined by their design—building orientation, roadway configuration and amenities such as shade trees, benches and lighting create a safe environment that is conducive for walking. Intentional integration of diverse land uses within one localized area creates a lifestyle option where a person can perform many of their daily needs and recreational desires within a short distance of home. Such environments are particularly attractive to young professionals, young couples and empty nesters.

Mixed-uses are typically either horizontal or vertical in nature. Horizontal mixed-uses involve retail, office and residential all located within one defined area, but within separate buildings. Vertical mixed-use developments would include any combination of retail, office and residential within the same building. A common example of vertical mixed-use is residential lofts and apartments above street-level retail and office space.



### General Guidelines

- **Reduced Setbacks:** bring building facades closer to the street.
- **Central Gathering Space or Focal Point:** Create an identity through public space.
- **Pedestrian Orientation:** Facilitate the pedestrian experience through quality urban design. Ensure access and connectivity to adjacent neighborhoods.
- **Architecture:** moldings, spires, canopies, balconies and building locations all create a sense of identity and contribute to the experience.
- **Strategic Parking:** utilize shared parking, on-street parking, parking behind buildings and structured parking.
- **Connectivity:** mixed use areas should be tied in to adjacent residential development.



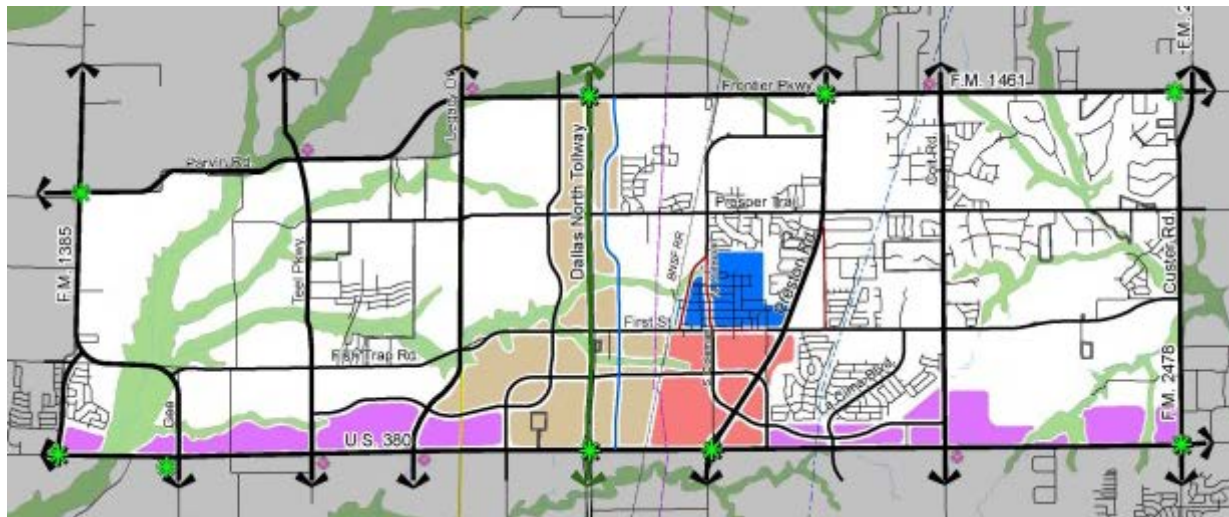
# COMMUNITY CHARACTER

What does mixed-use development look like in Prosper? We asked the community in a public Visual Character Survey. The highest rated mixed-use pictures are shown below.



Past planning efforts, including the Town’s previous comprehensive plan, have indicated that the most opportunistic location for a Town Center, a large mixed-use district, would be the area roughly bounded by First Street to the north, Highway 380 to the south, BNSF Railroad to the west and Preston Road to the east. This area is currently identified as a planned development by the Town’s zoning ordinance.

Within Prosper, mixed-use areas may be appropriate along the Dallas North Tollway, Highway 380, Town Center and Old Town districts, as shown below.



COMMUNITY CHARACTER

**Horizontal and Vertical Mixed-Use Development**

Mixed-use developments that include a range of land uses incorporated within the same building, but typically at different levels, are referred to as vertical mixed-use developments. Common examples of vertical integration include apartments and lofts over ground level retail and office uses. Examples of vertical mixed-use developments are Shops at Legacy in Plano, Watters Creek in Allen and the West Village/State-Thomas areas of Dallas. Vertical mixed-use development was preferred by Prosper residents.

Horizontal mixed-use development is representative of a mixture of uses within close proximity to each other, but not necessarily within the same building. Horizontal mixed-use developments typically include residential uses along the periphery of the larger development area, separate from a more intense retail and office core. An example of horizontal mixed-use development is Southlake Town Center. The central area of the Town Center includes retail and office uses with residential townhomes located on the periphery of the development, primarily on the east side.

Two factors considered when determining whether vertical or horizontal integration should be utilized are land availability and land value. In more intense areas of development, land values are typically higher and land availability may be significantly less. In such locations, vertical integration, and higher densities (up to 5 stories), would be most appropriate. In Prosper, vertical integration of mixed uses will likely occur within the Dallas North Tollway and Town Center districts. Horizontal mixed-use integration typically occurs where land availability and value can accommodate an overall lower density. Here, 1-3 story retail and office may be surrounded by townhomes, patio homes, multi-unit homes and other less intense uses. In Prosper, horizontal mixed uses will likely occur within the Highway 380 and Town Center districts.

**Vertical Mixed-Use**

- **Characteristics**
  - Multiple uses within the same building
  - Live-above lofts and apartments
  - More urban in nature
  - 4-5 story height for buildings with residential uses located above the first floor
  - Structured Parking
- **Considerations**
  - Consume less land
  - Land value (density to maximize value)
  - Higher density (typically more urban )

**Horizontal Mixed-Use**

- **Characteristics**
  - Multiple uses within a planned areas, but not necessarily within the same building
  - 1-3 story heights/lower density nature
  - Areas of apartments, townhomes, brown stones, patio homes and multi-unit homes around the periphery, buffering low-density neighborhoods.
  - Structured parking or rear parking/rear entry garages
- **Considerations**
  - Consume more land
  - With buffering, may be located near residential areas along HWY 380



# COMMUNITY CHARACTER

## Transit Oriented Development

If transit oriented development becomes a desire in Prosper, it should reflect the Town’s values and should be customized to fit the Town’s built environment.

As the Town and DFW region continue to grow, and as the regional transit network becomes more established, transit may become a more viable and desired option for Prosper residents, particularly for commuters. Feedback received from the Town Hall indicates that transit is not desired at the current time. While rail transit may not be an immediate need and may not be realistically achieved for some time, discussion with the CPAC indicated that it may be in the best interest of the Town to identify a potential location for a rail stop and allow future residents to determine whether or not rail will be appropriate if the 19.5 mile line to Celina becomes a reality. If the North Carrollton to Celina Line is constructed, the train will traverse the center of Prosper multiple times daily. If this scenario occurs, it was expressed that rail should be used to benefit the community, particularly as an economic development asset.



If the desire for rail connectivity arises in the future, the most appropriate location for a future transit stop, and for transit oriented development, may be in the Old Town district of the community, likely at the intersection of the BNSF railroad and First Street. In addition to an existing rail line, the Old Town district contains the historical past of the Town and therefore presents many opportunities for a mixture of preservation and redevelopment—a theme consistent with what community residents indicated during visioning exercises. A station in Old Town should be architecturally and aesthetically compatible with the development in the Town Center and Old Town districts.



As Prosper continues to grow, development and redevelopment of the Old Town area may become more realistic. If transit is deemed appropriate in the future, its location in Old Town may help to bring a unique mix of business, restaurants and offices to the Old Town core.

The ultimate decision on whether or not transit is appropriate for Prosper should be left to future residents and future Town Councils to decide.

## COMMUNITY CHARACTER

### Context Sensitive Solutions

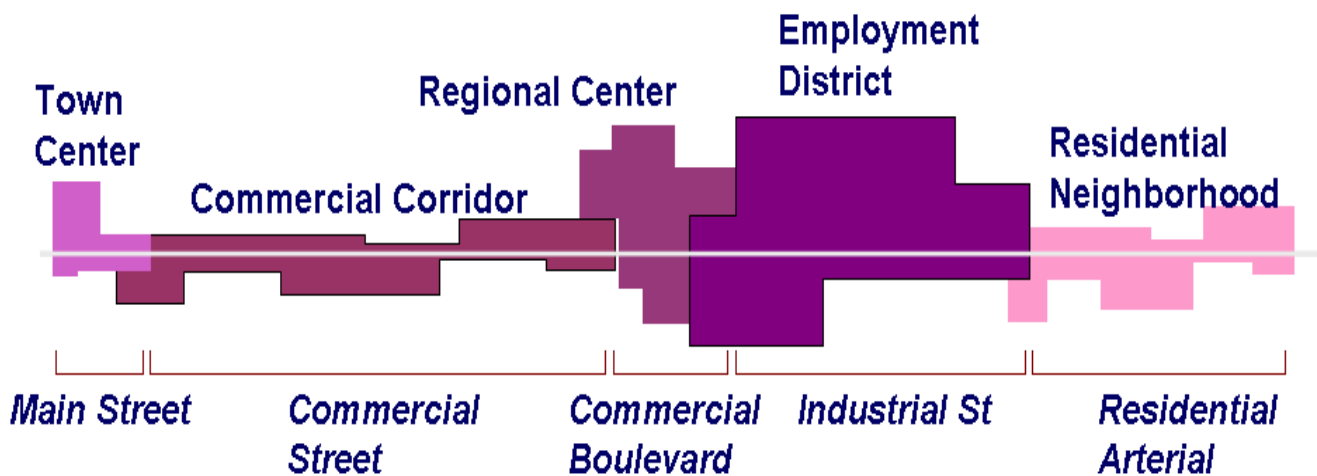
Context sensitive solutions is the practice of developing transportation projects that serve all users and meet the needs of the neighborhoods through which they pass. It is a collaborative process that involves Town staff, property owners, developers and business owners in development of street designs that fit into the character of surrounding neighborhoods while maintaining safety and mobility. The key is that elements of the street should complement the context of surrounding or adjacent development in order to generate a “roadway experience” and therefore the roadway may take on certain characteristics to support and be compatible with adjacent development. The process of designing CSS roadways is similar to the process of designing traditional thoroughfares in that automobile traffic is considered with traffic counts, traffic demand and level of service information-gathering efforts. The difference is that in addition to automobile traffic, other elements, such as pedestrian traffic, building form and land use, are also carefully considered.

The CSS approach recommends designing thoroughfares based upon:

- Community objectives
- Functional classes
- Thoroughfare types
- Adjacent land use
- Environmental considerations

In order to design accordingly, decision makers must understand the key relationship between transportation and land use, particularly the flexibility that may be needed in roadway design in order to accommodate a thoroughfare to changing urban form within the community. Understanding key community objectives for land use within the community is also important in order to ensure that public infrastructure investments are in line with ultimate land use objectives.

**A roadway may traverse a wide range of land uses. It is important to design the roadway considering its role and impact in each particular area.**





# COMMUNITY CHARACTER

Coleman Road is a prime example of an application of context sensitive solutions in Prosper. Coleman Road will transition as it traverses the community. The southern portion of Coleman Road will traverse the Town Center. In this area, it must consider the more intense development that will likely be located within the Town Center and its focus will be primarily placed on moving traffic and safely accommodating the pedestrian. As the roadway moves into the Old Town district, it must respect the character of Old Town. The roadway will likely narrow and head-in and parallel parking will likely be utilized. Other pedestrian amenities, such as bulb outs, street trees and enhanced sidewalks may be considered. As Coleman Road continues to the north of Old Town, it will transition into a residential thoroughfare with more lanes added and on-street parking removed.

## Context Sensitive Principles

- Satisfies purpose and needs as agreed to by a full range of stakeholders
- Safe facility for user and community
- Project in harmony with community, preserves natural, aesthetic, historic and natural resource values of the area
- Project exceeds the expectations of designers and stakeholders— achieves a level of excellence.
- Project involves efficient and effective use of resources
- Designed and built with minimal disruption to community
- Project seen to have lasting value to the community

*An ITE Recommended Practice: Context Sensitive Solutions in Designing Major Urban Thoroughfares for Walkable Communities (2006)*

**Safe and attractive roadways for pedestrians and traffic in retail areas**



**On-street parking in historic areas or high pedestrian areas**



**Transition into residential areas**



# COMMUNITY CHARACTER

## Building Orientation

Building orientation has the ability to significantly affect the appearance of the community. Over the past several decades, strip shopping centers have been defined by large setbacks and with parking areas located between the building and the roadway. With this type of design, much of the visual identity of the corridor is placed on the parking lots and vehicles, rather than on the architecture and identity of the community and the buildings themselves.

During visioning exercises, many Prosper residents indicated that high quality non-residential development should be a priority in Prosper and that the “cookie-cutter” strip centers that define many suburban neighborhoods should be discouraged within Prosper. Building orientation is a way to ensure that high-quality retail and commercial centers are developed within Prosper.

Retail centers should be clustered together, when possible, creating nodes of activity rather than strips of activity. Neighborhood retail centers will most likely be located at major intersections within Prosper. Clustering of buildings into nodes of activity can often help to define outdoor spaces such as plazas and courtyards and the strategic orientation of buildings can also minimize circulation conflicts.

An additional design which may be considered is the placement of parking areas behind buildings rather than along the roadway frontage. The visual experience is then focused upon the landscaping and architectural design of the building, rather than on a large parking lot located in the front.

Parking Lot Frontage and Building Frontage



Strip Center Retail and Nodal Retail



# COMMUNITY CHARACTER

## Livable Neighborhoods

Livable neighborhoods, regardless of what type of environment, have some common characteristics. The following is a discussion of some of these common characteristics as well as strategies to ensure that neighborhoods are protected, preserved and enhanced as development continues to occur within the Town.



### Life-Cycle Housing

Encourage a variety of housing types and sizes to accommodate different stages of life within Prosper. Ensure a range of housing that takes into consideration, among other things, data relating to income, education levels, and ethnicity



### Connectivity

Encourage connected neighborhoods which emphasize both internal and external connectivity. Neighborhoods should be linked to each other as well as to the community as a whole.



### Identity

Encourage neighborhood events, such as National Night Out, block parties and other neighborhood events to promote social interaction among neighbors and to foster a sense of community.



### Recreational Access

Incorporate the Parks Master Plan in order to create outdoor recreational opportunities for both neighborhoods and the community, enhancing the quality of life of Prosper.



### Quality Development

Continue to encourage the creation of custom homes, a definitive feature of Prosper, through anti-monotony standards and by requiring quality building materials that reduce maintenance and preserve long-term appearance.



### Neighborhood Conveniences

Incorporate neighborhood retail centers in strategic locations which optimize convenience for adjacent neighborhoods. Offer walkable connections to adjacent neighborhood as well as automobile connections and discreet parking.



### Open Space

In addition to parks and trails, neighborhoods should include open space in order to preserve the rural nature of Prosper.



### Neighborhood Signage

Delineate different neighborhoods through entrance features and signage toppers.

## COMMUNITY CHARACTER

term viability and continued investment in Prosper’s neighborhoods in the future.

### Long Term Neighborhood Viability

Neighborhoods are often defined in more abstract terms by the sense of “community” and the quality of life enjoyed by the people who live and play there. Well-designed neighborhoods provide a setting for residents to develop a strong sense of belonging, which is promoted by their interactions. The quality and livability of the Town’s neighborhoods are integral components of the overall character. The key to a successful neighborhood is creating a livable and affordable environment where the ongoing investment in property is supported by public investment in parks and greenbelt areas; opportunities for social interaction; accessibility for pedestrians, bicyclists and vehicles; and distinctive characteristics which give an area a unique identity. Prosper neighborhoods may be quantified in terms of the following characteristics:

- Opportunities for neighborhood interaction;
- Careful and strategic placement of retail uses and other appropriate non-residential uses within access of the neighborhood area;
- Continued investment in public and private property to stabilize property values;
- Condition of public facilities and infrastructure serving the area;
- A sense of “community” and belonging among residents through distinctive neighborhood identities;
- Access to amenities such as parks, open spaces, public facilities and trails; and
- Incorporating open spaces within neighborhoods as a definitive feature of Prosper.

The majority of Prosper’s housing stock is relatively new and in good physical condition. Ensuring that the preceding principles are used to guide new development will protect the long



### The following is feedback received from Prosper Residents during the Public Meeting regarding its neighborhoods:

- Open space/tree preservation
- Neighborhood services
- Sidewalks
- Bicycle/Jogging Trails
- Minimal Street lighting
- Sound barriers/buffers on high-traffic corridors
- “Chic Country” community
- Space for community/ neighborhood festivals and events
- Entertainment for families



## COMMUNITY CHARACTER

### Housing Mix

It is important for communities to provide a variety of housing for its citizens and to meet the needs of different segments of the population. The “full-life cycle” is intended to describe all stages of life.

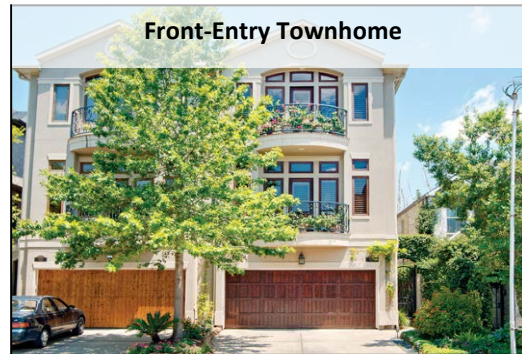
### Housing Mix-Alternative Housing Options

Generally speaking, most of Prosper’s housing options are, and will continue to be, single family homes. Prosper residents have indicated that other housing types are appropriate within the community but that such units should primarily be confined within the Dallas North Tollway, Highway 380, Town Center and Old Town districts. Many housing options in these districts take place on smaller lots, such as in the case of townhomes, brownstones, patio homes, and zero lot line homes. Design approaches for these types of homes tend to favor rear entry garages for two primary reasons; aesthetics and drainage.

Rear-entry garages on developments with lot sizes less than 50 feet in width help to protect the visual integrity of the streetscape by reducing the visibility of closely situated garages and driveways. This is particularly important when looking at townhomes, brownstones, zero-lot line homes and patio homes which are either attached or closely situated to one another. Rear entry garages allow more landscaping opportunities and create a more walkable environment in such areas by reducing the frequency of individual driveways.

In addition to aesthetics, rear-entry garages may also aid with drainage. Determining where water that collects in ones backyard should drain is often a contested issue. Having rear-entry garages or a small rear yard/rear patio feature can be a design advantage to this effect.

While rear-entry garages should be considered for the densest forms of residential housing options, it is likely that front-entry garages will continue in the majority of Prosper’s lower density neighborhoods.



# COMMUNITY CHARACTER

## Transitional Uses, Screening and Buffering

The Future Land Use Plan seeks to minimize conflict between residential and nonresidential areas, but screening and buffering efforts can help to mitigate any remaining incompatibility between land uses.

The Town should consider reviewing the existing screening and buffering requirements between residential and nonresidential developments. There are several options to alleviate the conflict: require transitional uses, screening, and/or buffering.

Larger setbacks, such as a 40 foot setback, may be utilized to protect the public view and create a more rural feel. Within such setbacks, extensive landscaping, such as berms, double rows of large trees and solid living evergreen screens may be used. Examples of “living screens” were rated favorably in the Visual Character Survey and include the types of screening mentioned above, typically on setbacks greater than 25 feet. When landscape berms are used, consideration for maintenance should be a priority. Typically speaking a 1:3 slope should be used for landscape berms to ensure proper maintenance. So, for example, a 25’ setback would allow a 4’ berm; a 30’ setback would allow a 5’ berm; and a 40’ setback would allow a 6’ berm.

If a screening wall is used, the wall should be constructed entirely of brick, masonry, or other like material consistent with the exterior finish of the primary structure. It should also be at least 6 feet in height. Wood is a high maintenance material and therefore is not recommended for screening walls. Construction of such a wall would typically be a responsibility of the nonresidential land use developer. If a retaining wall is located on the property line, the screening wall should be located on top of the retaining wall to maximize visual screening.



In addition to screening residential areas from non-residential areas, screening and buffering techniques should also be used to protect the visual realm from unwanted eyesores such as:

- Trash receptacles
- Utility Boxes
- Commercial loading docks
- Expansive parking lots

A variety of screening uses may be utilized including masonry or brick walls, shrubs, trees and landscape berms, among others.



## COMMUNITY CHARACTER

### Open Space Preservation

A common theme expressed by CPAC members and Town Hall attendees was the need to preserve open space within Prosper. Many residents have chosen to live in Prosper due to its quiet, rural feel and abundant open spaces. Prosper is located along a prime development corridor and therefore significant pressure will be placed on land owners to sell property and existing open spaces for development in the future. Therefore, in order to preserve open space within the community, Prosper may consider the following options.

**Purchase of Development Rights (PDR)** is a program that enables the community, or a land trust, to purchase the development rights from a landowner. Essentially, the municipality or trust would purchase the difference between the appraised and market value (what a developer would pay for purchase of the property) in exchange for the landowner not developing the land. The landowner can continue to use the land as farmland or open space. Once an agreement is reached, the land may not be subdivided or developed. In the future, the property owner may sell the land at the appraised value, but the restrictions on development remain. One advantage to PDR is the preservation of open space and the continued ownership of land by the property owner. The disadvantage is such land remains under the control of the landowner, even after development rights have been purchased, and therefore is not public space. Only the development rights have been purchased, not the land itself.

### Transfer of Development Rights (TDR)

While not commonly used in Texas, TDR is a way of transferring development rights from a transfer area, or open space, to a receiving area (area approved for development). If, for example, the tollway district was identified as a receiving zone, a developer that was seeking development greater than the approved density

for that district could purchase the development rights from an area containing open space and transfer that right to develop to his/her property along the tollway. The developer is therefore able to build at a higher density and open space is able to be preserved elsewhere. This increased density option would only be allowed in areas identified as receiving zones, not within individual neighborhoods.

**Conservation Easements** are another method of preserving open space. Conservation easements are initiated by the land owner in an attempt to protect their property from future development. In its publication *Conservation Easements: A Guide for Texas Landowners*, The Texas Parks and Wildlife Department outlines many of the advantages of conservation easements, including tax benefits. Typically, a property owner voluntarily creates an agreement with a municipality or county that limits development on the landowner's property. In a conservation easement, the landowner will limit their right to one or more of the following: right to manage resources, change use, subdivide or develop. Conservation easements ensure that a farm, ranch, estate or open space area is preserved from development pressures in the future. The advantage to conservation easements is that land is preserved indefinitely and such easements may be sold or donated to land trusts for significant tax credits. The disadvantage is that the landowner receives no monetary reimbursement for not developing, such as in the purchase of development rights scenario, other than tax credits.

### Parks Plan

The Town of Prosper currently has a park dedication ordinance that requires 1 acre of park dedication for every 35 units or 5% of total land. The system of parks and trails established by the 2007 Parks Master Plan is the most significant way open space can be preserved within Prosper. Park land dedication should be guided by the adopted Parks Plan.

COMMUNITY CHARACTER

**Social Interaction**

The term *community* naturally implies the congregation and interaction of people. Residents identified that one of the defining features of Prosper were its residents and the sense of community that exists within the Town.

As the Town continues to grow, a sense of community will continue to be an important characteristic of the Town. With a larger population, the built environment will need to provide spaces and opportunities for residents to meet, congregate, interact and enjoy life. Creating such venues will help foster a sense of community among residents and will create family environments where interaction begets new friendships.

An amphitheater was seen as a potential opportunity to host Town events. This Amphitheater, when combined with a larger open space/park area, could serve as a central location for Town festivals and events.

In addition to a community garden, many communities in North Texas have begun to offer farmers markets, encouraging local growers to bring in fresh produce for residents to purchase. The number of farmers markets has increased 17% from 2010 to 2011, with the second largest growth occurring in Texas at 38% (US Department of Agriculture – Agricultural Marketing Service news release, Aug 5, 2011). Farmers markets and community gardens can also be beneficial in supporting the local economy and encouraging social interaction.

The creation of the Town Center and other mixed uses will also help to create additional places for Prosper residents to interact and socialize with other families by creating opportunities for retail shopping and dining.





# COMMUNITY CHARACTER

## Corridors and Districts

A major component of the visioning exercises pertained to the three major corridors in Prosper: Preston Road, Dallas North Tollway and Highway 380. The following discussions on each corridor are a result of the visioning exercises and feedback received from the comprehensive plan advisory committee and the general public.

### Preston Road

#### Land Use

Preston Road was described by numerous residents as “our road.” Traversing the center of the community, Preston Road will have a variety of land uses and will have a varying context. In the southern portion of Prosper, Preston Road will accommodate higher degrees of traffic, particularly as it traverses the Town Center. Retail, office and some medium density residential will be located along Preston Road on the southern end of the Town, gradually becoming more residential in nature as it moves north. Small scale office and retail may be located in certain areas along Preston Road and these should be the types of uses which service adjacent neighborhoods. Big box uses, mid-rise development, and more intense land uses were generally not viewed as favorable as small-scale retail and office uses. Residents identified an upscale grocery store, such as a Central Market or a Whole Foods, as one of their top priorities along Preston Road.



#### Character

The character of Preston Road should be more rural in nature, respecting the small-town character of the community. Large, heavily landscaped setbacks should be prevalent along the roadway helping to differentiate Prosper from Frisco while also providing a natural sense of calm for Prosper residents. Wide setbacks are particularly important as the roadway traverses residential areas generally north of First Street. Areas of retail should be designed to the highest level of quality and architectural characteristics within individual developments should follow a theme consistent with recently completed development. Residents felt that retail areas should be organized in a nodal nature rather than in a strip center fashion in order to prevent the entire roadway frontage from being consumed by retail. Unanchored, stand-alone retail establishments should be discouraged in favor of a nodal shopping center development.

# COMMUNITY CHARACTER

## Dallas North Tollway

### Land Use

Unlike Preston Road, regional development pressures will likely be placed along the Dallas North Tollway. Feedback received from the public indicated that more intense uses would be appropriate along the corridor. Types of uses that scored relatively well included mid-rise office buildings, mixed-use development and corporate office parks, among others. Generally speaking, the DNT corridor will contain land uses that support a more regional context and will likely include office space, retail uses and business parks. High density residential is appropriate within the DNT corridor. Mixed-use lofts/apartments are the preferred style of high density residential within this district. Images depicting big box retail, auto sales centers and commercial services, such as self-storage facilities, scored the lowest along the Dallas North Tollway.



### Character

The character of the Dallas North Tollway will be significantly more intense than the rest of the Town. The most intense development will be located in the southern portion of the corridor, primary around the interchange of the Dallas North Tollway and Highway 380. Development in the Northeast corner of this intersection will likely be a continuation of the Town Center district, much in the same way office uses surround Legacy Town Center in Plano. Areas on the Northwest corner of the interchange are currently identified as mixed-use. A mixture of office, retail and medium to high density residential will likely develop within this area. Floodplain on the north side of the Northwest corner will serve as a buffer between the more intense development and the low density residential neighborhoods to the north. Intensity of development should gradually decrease on the north side of the Dallas North Tollway corridor and backage roads will help to facilitate the creation of pad sites that may buffer the Tollway from residential uses.



# COMMUNITY CHARACTER

## Highway 380

### Land Use

Of the three major corridors, Highway 380 contains the longest stretch of potential development. Generally speaking, land uses along the Highway 380 Corridor were seen to be more commercial in nature. Unlike Preston Road and the Dallas North Tollway, big-box retail scored relatively well along Highway 380, in addition to office, hotel uses, retail centers and service uses, such as a gas station and fast food restaurant. Similar to the other categories, industrial uses, including warehouses, were not seen as a highly appropriate use along the Highway 380 corridor. Due to the length of the corridor, a variety of land uses will be located along the corridor. Typically speaking, retail and service establishments will locate adjacent to Highway 380 and along major intersections, in a nodal pattern of activity. Such uses capitalize on higher traffic counts and require a higher degree of visibility. Big box uses may also be located along the corridor, but pad sites should be located adjacent to Highway 380 to capitalize on visibility and pass-by trips. Residential uses, such as patio homes, snout homes and townhomes and brownstones may be located within this district. Such uses will likely be used as a buffer between more intense uses along Highway 380 and lower intensity residential neighborhoods to the north. Such uses may also be located mid-block, reserving major intersections for retail and commercial uses.



### Character

The character of Highway 380 will be much more commercial in nature. Wide setbacks with large landscape buffering will protect the visual appearance of the corridor, while still allowing more intense commercial land uses to operate. Big Box retailers may be permitted, but they should be designed to the highest possible quality, incorporating significant landscaping, high quality materials, such as stone and brick, and should contain architectural enhancements and building articulation.

Medium and high density residential options may be included within the Highway 380 corridor but such uses should be carefully designed to protect, enhance and buffer low density neighborhoods to the north from more intense development along Highway 380.

# COMMUNITY CHARACTER

## Old Town

The Old Town area of Prosper is, in many ways, the heart and soul of the community. As the Town continues to experience rapid growth, it is this core and center than can serve as an identifying feature of the Town and can also serve to showcase Prosper’s humble beginnings. Many communities in the Dallas/Fort Worth metropolitan area have used their downtowns as an identifying feature. Prosper residents have identified the significance of the downtown area and have indicated its potential role in the future of the community.

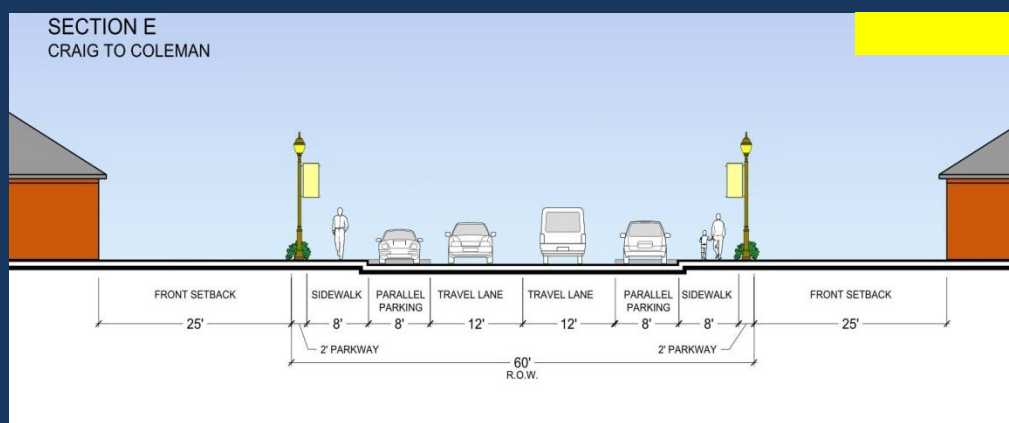
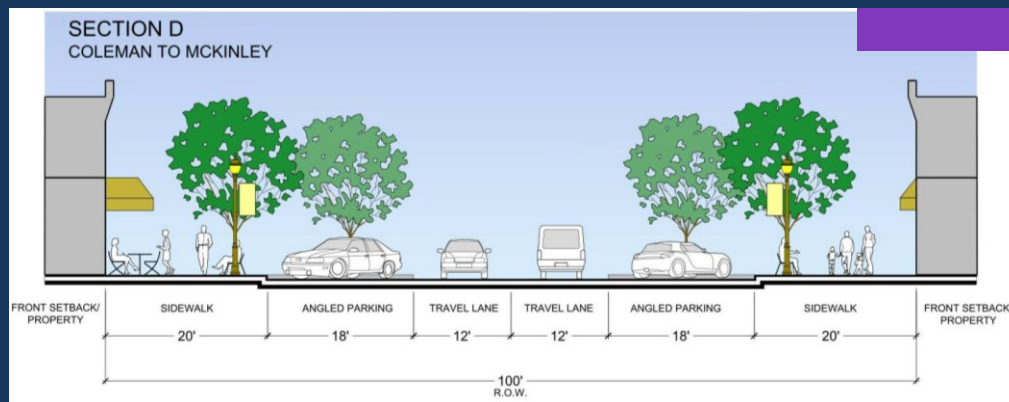
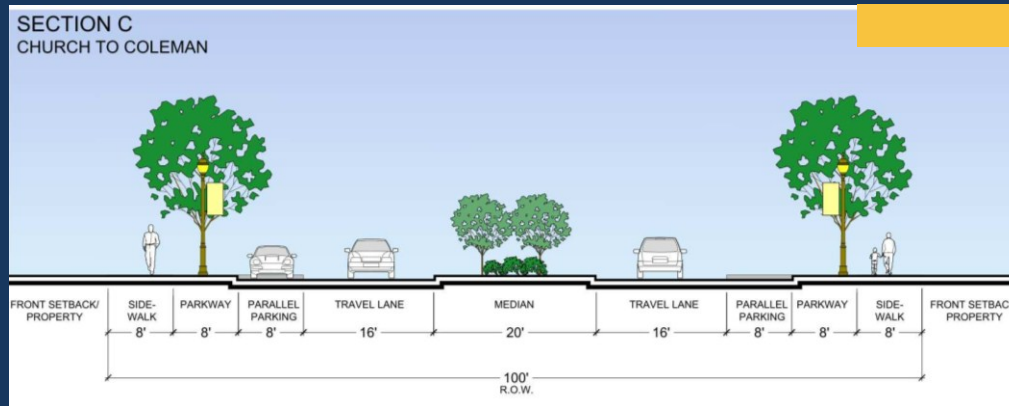
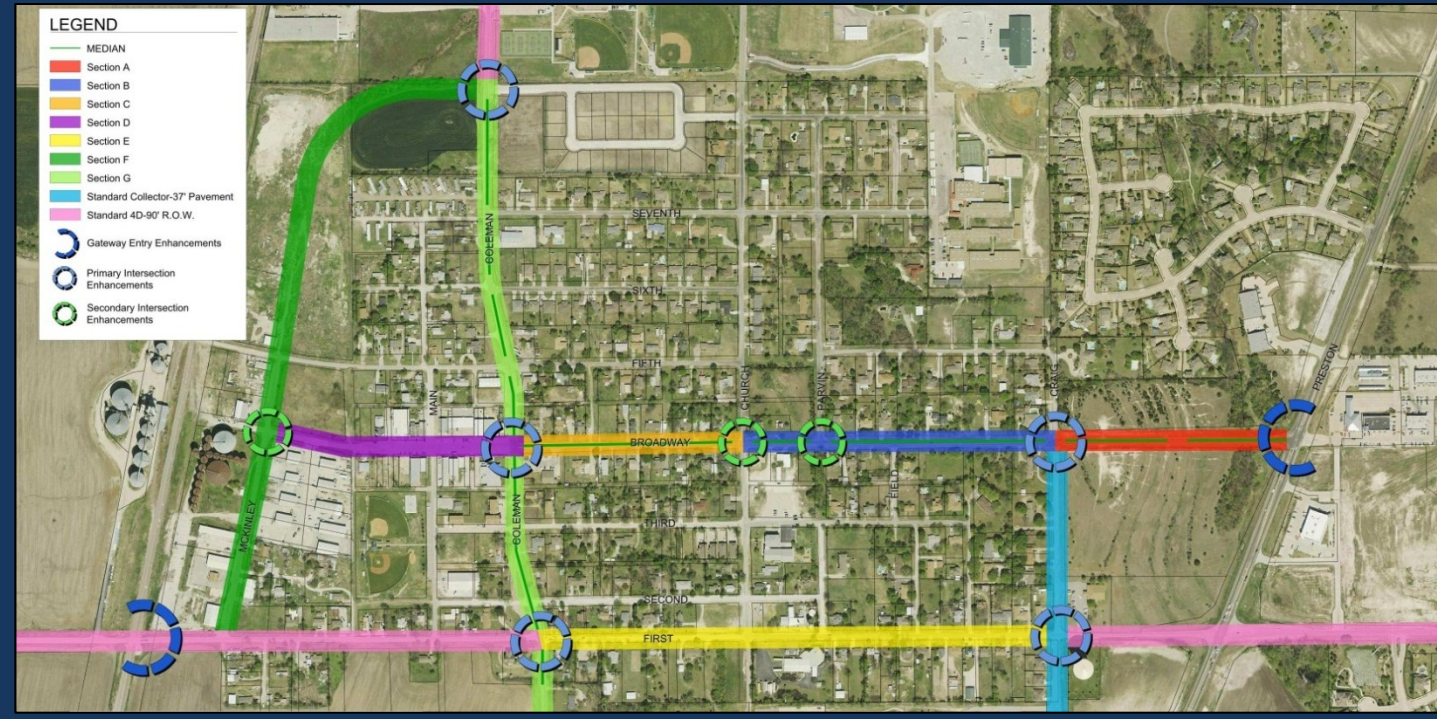
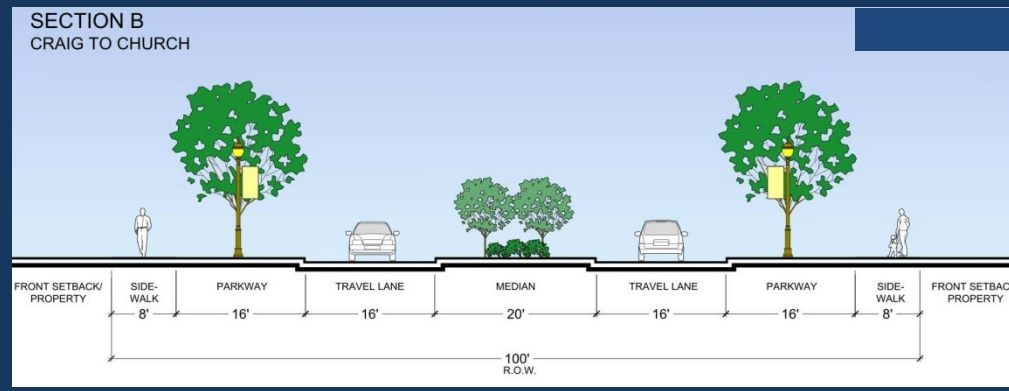
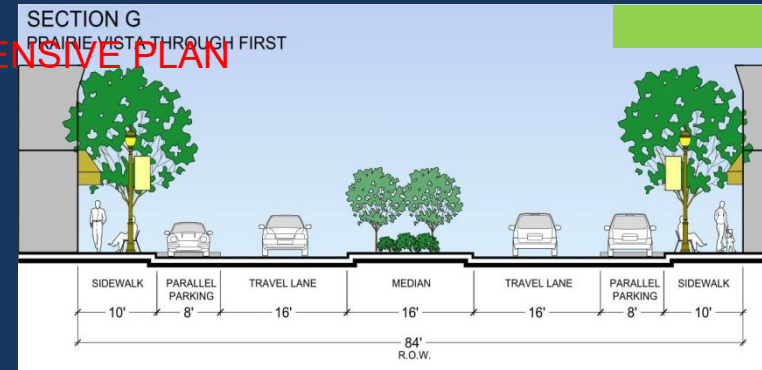
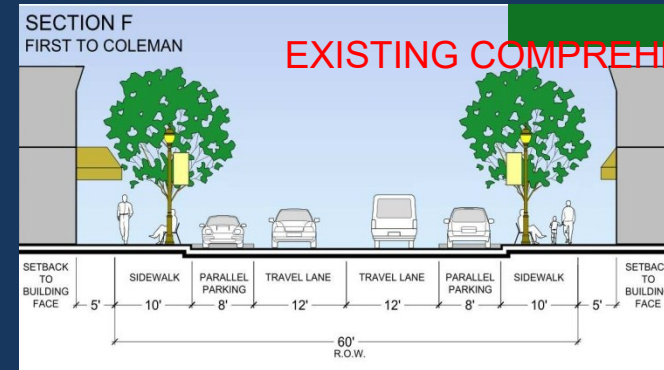
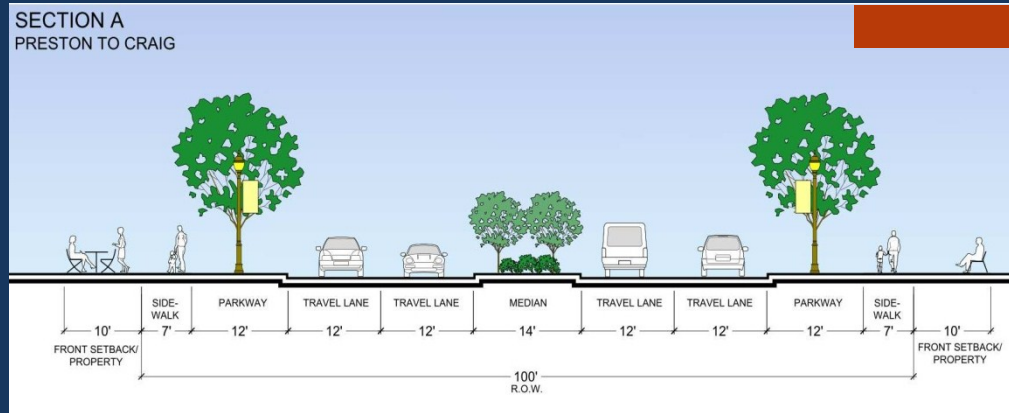
Coleman Road serves as a divider between residential uses to the east and non-residential uses to the west. The western side of Coleman will be the primary area of focus for redevelopment and infill. The Old Town district indicates that commercial, office, retail and single family uses will be permitted within the district. It is anticipated that many single family dwelling units along First Street and Broadway will gradually convert to boutique retail and cottage office uses, requiring flexibility in land use decisions as these areas transition over time.

Coleman, Broadway and First Street will serve as the primary corridors within the downtown area. Special attention to context sensitivity should be given to these roadways as they move from newer areas into the downtown. Parallel and head-in parking will likely be included along with pedestrian walkways and streetscape enhancements.

If a transit station is built at First Street and the BNSF railroad, higher density residential options should be permitted near the station. Currently, only studio apartments are permitted within the Old Town district. High density residential options, such as vertical mixed-use development, townhomes and brownstones should be considered within close proximity of the transit station. Locating high-density residential within 1/4 mile of the transit station will help ensure long term viability and effectiveness of transit and will ensure that Prosper’s transit station is more than simply a “park-and-ride.”

All future development should be consistent in theme, possibly emphasizing an “old downtown” feel consistent with Texas downtowns at the turn of the 20<sup>th</sup> century. Lewisville, McKinney and Plano are examples of successful downtown rehabilitation projects which project such an image.





**Section A:** Four lane divided roadway with a landscaped parkway and a landscaped parkway separating pedestrians from traffic. This section serves as a major entrance into Old Town from the east. No on-street parking.

**Section B:** Two lane divided boulevard with a large center median containing landscaping. Wide travel lanes allow for bicycle accommodation and a landscaped parkway separates pedestrians from traffic. No on-street parking.

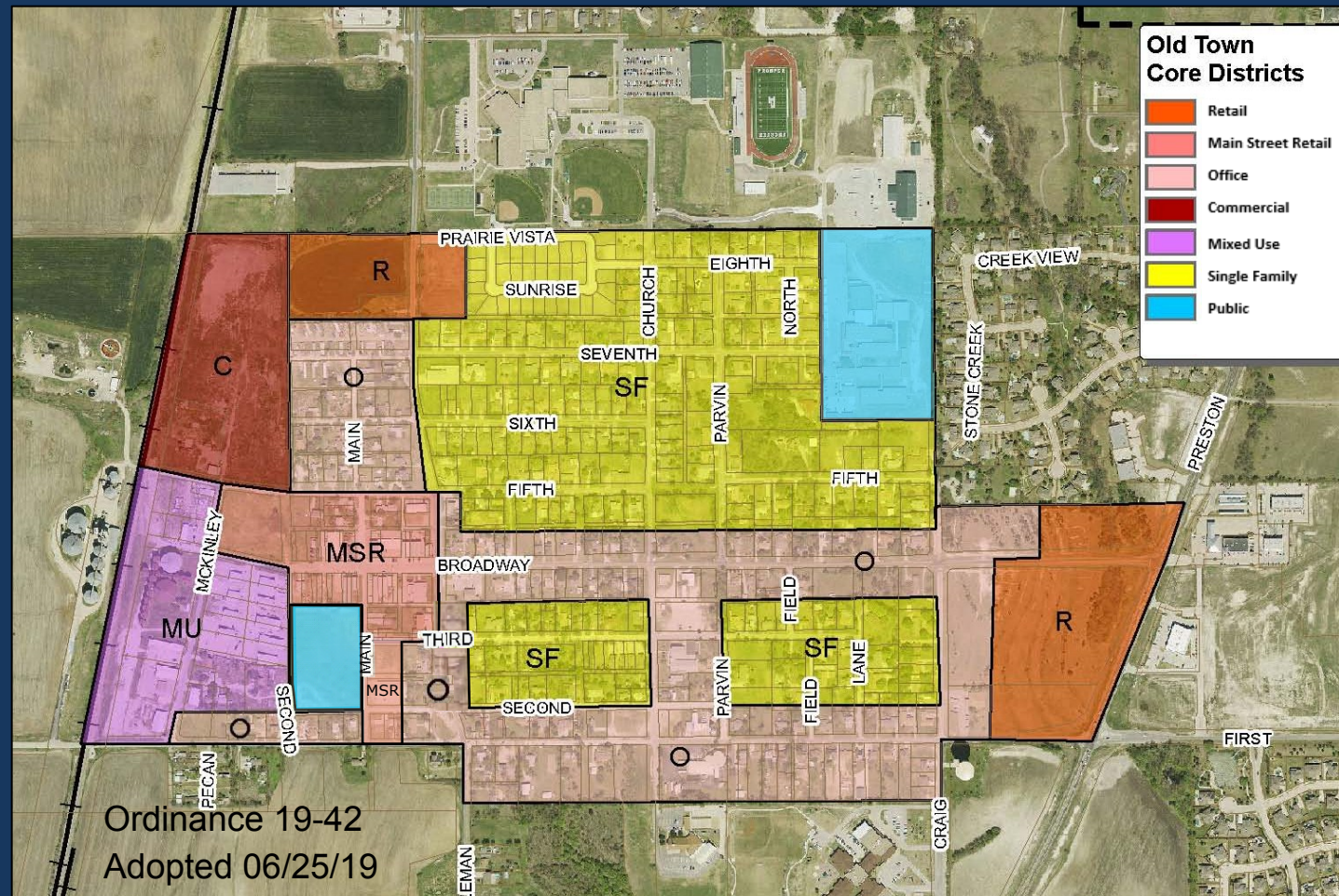
**Section C:** Two lane divided boulevard with a large center median containing landscaping. On-street parallel parking is permitted and a landscaped parkway separates pedestrians from traffic.

**Section D:** Two lane undivided urban roadway. Wide 20' sidewalks accommodate patio seating, pedestrian traffic and street trees. On-street angled parking is permitted and bulb-outs are located at intersections to enhance pedestrian visibility at crosswalks.

**Section E:** Two lane undivided roadway with on-street parallel parking and an immediately adjacent 8' sidewalk. A large private setback of 25' is included.

**Section F:** Two lane undivided roadway with on-street parallel parking and a 15' sidewalk. 10' of the sidewalk will be located within the right-of-way and the additional 5 feet will be a 5' setback to building face.

**Section G:** Two lane divided roadway with a center median containing landscaping. On-street parallel parking and a 10' sidewalk are included.



**Land Use**

The predominant land use within Old Town will be **single-family residential**. All infill development within such areas should conform to the architectural guidelines established for the Old Town district. Such guidelines are created to protect the continuity of look and feel within Old Town.

Along Broadway and First Street, single-family uses will gradually transition to boutique, cottage-style **office** and/or specialty retail uses. Broadway west of Coleman, will be the retail core of the downtown.

Shops, restaurants, and small office uses may be located within the **main street retail** area. This area is intended to be the heart and main activity center of the Old Town Area. As redevelopment occurs, building frontages should be brought to the property line to be consistent with ultimate streetscape improvements.

Adjacent to the retail core, a **mixed-use** district incorporating mixed use lofts/apartments will serve as a buffer between the Business Park and the core of Old Town. This area will also provide rooftops that service adjacent retail establishments.

**Niche retail** is recommended along Preston Road and at the northern end of Coleman. Retail development within these areas should fit within the architectural framework of the Old Town area. Setbacks should be reduced, when possible, along Coleman and Broadway to frame the roadways.

# COMMUNITY CHARACTER

## Image Enhancement

Prosper is a unique community. Many who have moved to the Town express their diverse reasons for relocating to Prosper. Reasons include its excellent school system, its wide open spaces, its large lot homes, its friendly neighbors and rural setting with access to the Town, among others. This section seeks to define some of those attributes and using these attributes to establish a recognizable image for the community’s built environment.



## Branding

Community branding is the concept of establishing an identity and then working to ensure that the desired identity is reflected and portrayed in the built environment. In Prosper, residents have clearly identified that the rural, open spaces of the community are a defining feature of Prosper, particularly defining when compared with other North Dallas suburbs such as Frisco, Plano, McKinney and Little Elm.



Residents identified that a common perception and image of Prosper to outsiders is an upscale, rural community with open spaces and large-lot homes. Despite the current availability of open spaces and agricultural land, the Town will continue to grow and develop. As the community grows, however, development standards may reflect certain architectural characteristics that may be unique to Prosper, helping to visually distinguish the Town from adjacent communities, particularly its retail centers. Additionally, setbacks and landscaping may be used along major corridors to create a more rural atmosphere, even as the Town develops. Large setbacks and medians may be heavily landscaped with trees, shrubs and other natural elements. As trees grow and mature, the presence of a dense tree canopy will help to create a more natural feel within the community. Additionally, the Town may reduce the amount of internal lighting to mitigate light pollution and enhance dark skies, further enhancing the rural feel.



The Town’s extensive Parks Plan, as it is implemented, will also significantly help to create and preserve open spaces and will contribute significantly to the Town’s quality of life by providing outdoor recreational opportunities.



As development occurs, all new development should not only meet the development standards of the community, but should also be analyzed based upon how they will contribute to the image and branding of the community based upon Prosper’s vision, goals and values.



## COMMUNITY CHARACTER

### Gateways

The visual monotony that is often inherent to communities within a particular geographic area makes it appear that each one is just like its neighbors. For example, the visual appearance of a community to a traveler along the Dallas North Tollway may be very similar to the appearance of any other nearby community. This lack of design variety, especially along major corridors, tends to create anonymity, and it becomes difficult for people to know when they have left one community and entered another. Gateways can provide a strong sense of arrival to, as well as a sense of departure from, the community. These features are the first thing visitors see when they arrive and the last impression visitors have when they leave.

The design of gateways into the Town of Prosper should be guided by several factors. One of the most obvious factors is the number of people using a particular entry point. The most heavily traveled roadway entering the community will be the Dallas North Tollway. Although it may be difficult to create an aesthetically-pleasing gateway visible from the highway, the bridges and the frontage roads are alternate options. Improved overpasses with decorative rails, landscaping, lighting, and possibly signage are possibilities. In addition, two entry features for the Town placed directly along the Dallas North Tollway frontage roads, both leading into and out of the community (i.e., at the northern and southern corporate limits) would be a positive step in creating a visual identity once the Tollway is constructed. Gateways could include the use of signage, landscaping, and other design elements such as lighting, fencing, paving patterns, art/sculptural elements, a variety of earth forms, or other identifier that signifies arrival into the Town.

Another important factor in the design of gateways is to develop an entryway that provides a sense of identity for the community while projecting a desirable image for the Town.

For example, the windmill is a component of the Prosper logo and may be used as a component of Town gateways, if so desired by the community. The windmill feature is a strong representation of who Prosper is – it identifies the Town’s humble beginnings as a small agrarian town and also highlights and reflects many of the Town’s values such as large lots, open spaces and rural, small town feel. Consideration should be given to establishing a uniform design concept for all gateway areas, and hierarchical distinction between major and minor gateways can be achieved through design modification for each type of entry feature. Minor gateways could be specific to the individual neighborhood, reflecting the distinct character of each area.

Design of entry features should take into consideration the setting in which each feature will be placed. Although an entry feature might ideally be placed at the corner of a roadway intersection which is at, or near, the true Town limits, the design of the feature might conflict either visually or aesthetically with an adjacent retail use at the intersection. In such a situation, it may be prudent to move the entry feature further into the community to provide a better setting and better visibility, such as placing it upon the thoroughfare median, if there is one. The traffic speed at which an entry feature is viewed must also be taken into account, and the size, boldness and scale of the feature should be designed accordingly.

It is important for the Town of Prosper to assert its differing qualities to distinguish itself from the surrounding communities. Gateway features are a simple first step in this direction. Priority for funding entry features, both in terms of total dollars spent per entry and in terms of the timing of expenditures, should be directly related to the number of people using a particular entry point. Often, donations can be solicited from civic groups to assist in the funding of specific gateways and/or their maintenance (e.g., an "adopt a gateway" program).

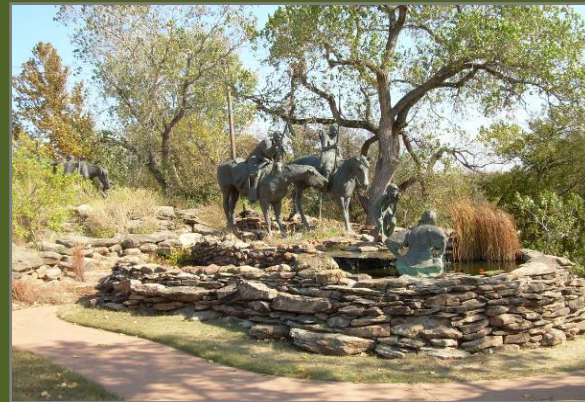
# COMMUNITY CHARACTER



Prosper may desire to use the windmill as a design element within its future gateways. The windmill is a symbol that is reflective of the Town's history and past and is currently a component of the Town's logo. The design of the Town's gateways should be consistent in theme and should help to identify Prosper to visitors as well as welcome residents home.

Gateway size and design should consider traffic, traffic speeds land use context. In Prosper, primary gateways will be located along the Dallas North Tollway, Highway 380, Preston Road and the "corners" along the Town's perimeters. Secondary gateways may be located along Coit, Legacy, Teel, Lovers Lane, Gee and other minor entrances into Prosper.

Gateways take a wide variety of shapes, sizes and forms. They may be very large, such as the Frisco gateway at SH 121 and the Dallas North Tollway, or they may be small. Some logos include the community logo, others incorporate art or design that is reflective of the community's values and history.





## COMMUNITY CHARACTER

### Maintaining compatibility between the Zoning Map and the Future Land Use Plan

Chapter 211 of the Texas Local Government Code states that “zoning regulations must be adopted in accordance with a comprehensive plan.” Consequently, a zoning map and zoning decisions should reflect the Future Land Use Plan to the fullest extent possible. Therefore, approval of development proposals that are inconsistent with the Future Land Use Plan will often result in inconsistency between the Future Land Use Plan and the zoning regulations.

At times, the Town will likely encounter development proposals that do not directly reflect the purpose and intent of the land use pattern as shown on the Future Land Use Plan map. Review of such development proposals should include the following considerations:

- Will the proposed change enhance the site and the surrounding area?
- Is the proposed change a better use than that originally envisioned and depicted on the Future Land Use Plan map?
- Will the proposed use impact adjacent residential areas in a negative manner?
- Will the proposed use be compatible with and/or enhance adjacent residential uses?
- Are uses adjacent to the proposed use similar in nature in terms of

appearance, hours of operation, and other general aspects of compatibility?

- Does the proposed use present a significant benefit to the public health, safety, welfare and/or social well-being of the community?
- Would it contribute to the Town’s long-term economic stability?

Development proposals that are inconsistent with the Future Land Use Plan map (or that do not meet its general intent) should be reviewed based upon the above questions and should be evaluated on their own merit. It should be incumbent upon the applicant making such a proposal to provide evidence that the proposal meets the aforementioned considerations, supports community goals and objectives as set forth within this Plan, and represents long term economic and/or social benefits for the community as a whole, not just a short-term financial gain for whoever is developing the project.

It is important to recognize that proposals not directly consistent with the Plan could reflect higher and better long-term uses than those originally envisioned and shown on the Future Land Use Plan map for a particular area. This may be due to changing markets, demographics and/or economic trends that occur at some point in the future after the Plan is adopted. If such changes occur, and especially if there are demonstrated significant social and/or economic benefits to the Town of Prosper, then these proposals should be approved and the Future Land Use Plan map should be amended accordingly.

TRANSPORTATION

**TRANSPORTATION PLAN**

The thoroughfare system forms one of the most visible and permanent elements of a community. It establishes the framework for community growth and development and, along with the Future Land Use Plan, forms a long-range statement of public policy. As the alignment and right-of-way of major transportation facilities are established and adjacent property developed, it is difficult to facilitate system changes without significant financial impacts. However, by incorporating programmed land uses and densities of the Future Land Use Plan, strategies can be developed that maximize the land use/transportation relationship.

Several key principles were recognized in the preparation of Plan recommendations and included the following:

- Prosper should have safe and convenient internal circulation between neighborhoods, core community assets, and special areas.
- Transportation facilities should define rather than split residential areas in order to preserve neighborhood integrity. Through traffic should be routed to specific facilities designed to accommodate non-local and regional traffic.
- A sidewalk and trail system connecting Prosper’s amenities and parks with neighborhoods should be available.
- Key corridors and gateways should include enhanced landscaping to promote image/identity.
- Monitor regional growth implications in order to proactively address mobility and accessibility issues to/from the Town.



# TRANSPORTATION

## Planning Context

### 2010 Thoroughfare Plan

Updated in July 2010, the Prosper Thoroughfare Plan established a traditional grid network of streets with connectivity of major roadways to key streets in adjacent communities. Key to this plan is the identification of strategic corridors for accommodating local and long-term regional travel demand. As regional growth is rapidly moving northward through Collin County, several key roadway facilities have been identified for accommodating future cross-town movement while others are aimed at accommodating localized traffic.

Key north-south and east-west roadways (up to six-lane) include Dallas North Tollway (DNT), Preston Road (SH 289), Custer, Coit, Legacy, Teel, FM1385/Gee Road, Highway 380 and FM 1464 Frontier Parkway/Parvin Road. Several other east-west roadways are aimed at accommodating localized traffic on smaller sized streets (up to four-lane divided) and include Prosper Trail, First Street/Fishtrap, and Lovers Lane.

The Plan also established special roadway considerations for Old Town, Town Center area, backage roads along DNT and portions of Highway 380.

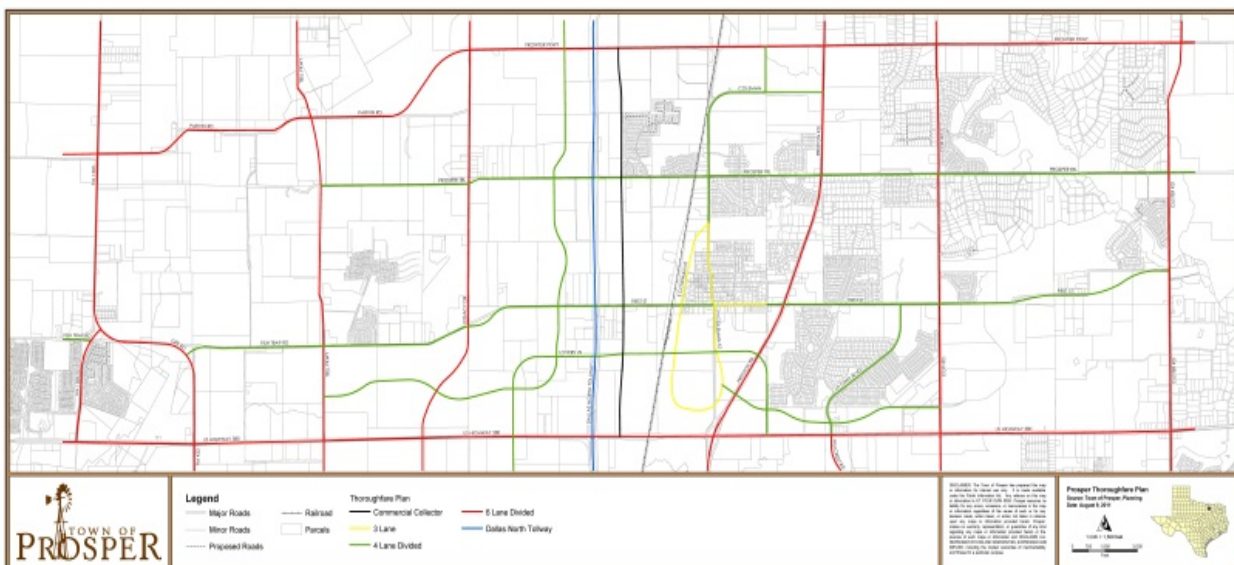
### 2010 Prosper Thoroughfare Plan

The roadway network established in the 2010 Thoroughfare Plan is a departure from the “modified hub and spoke” concept established as part of the 2004 Comprehensive Plan. That concept was aimed at localizing traffic from within the community to desired hubs of development situated within the Town. While not dissimilar in nature to the grid network, the plan also included an internal loop road, couplet streets and connection points for development support along DNT.

### Other Planning Initiatives

#### NCTCOG Planning

The Regional Thoroughfare Plan (RTP) and the Metropolitan Transportation Plan (MTP) are both important to consider when making decisions locally. Coordination of planning efforts may help accelerate funding sources and ultimately help to ensure that roadways at a regional level are functional and compatible. The North Central Texas Council of Governments (NCTCOG) is responsible for creating both the RTP and the MTP—both are directly related to the ability of the region to compete nationally for federal transportation funds. It is important that the Town monitor both the RTP and the MTP and communicate any changes in order to ensure that plans within Prosper are understood by other agencies and reflected accordingly.



TRANSPORTATION

**Collin County Transportation Plan**

In 1999, Collin County adopted the first Transportation Mobility Plan aimed at coordinating regional roadway improvements among the various municipalities and agencies to address long-term County growth needs and capital improvements planning. Subsequently updated in 2003 and 2007, Collin County is currently in the process of initiating the next generational update slated for 2012.

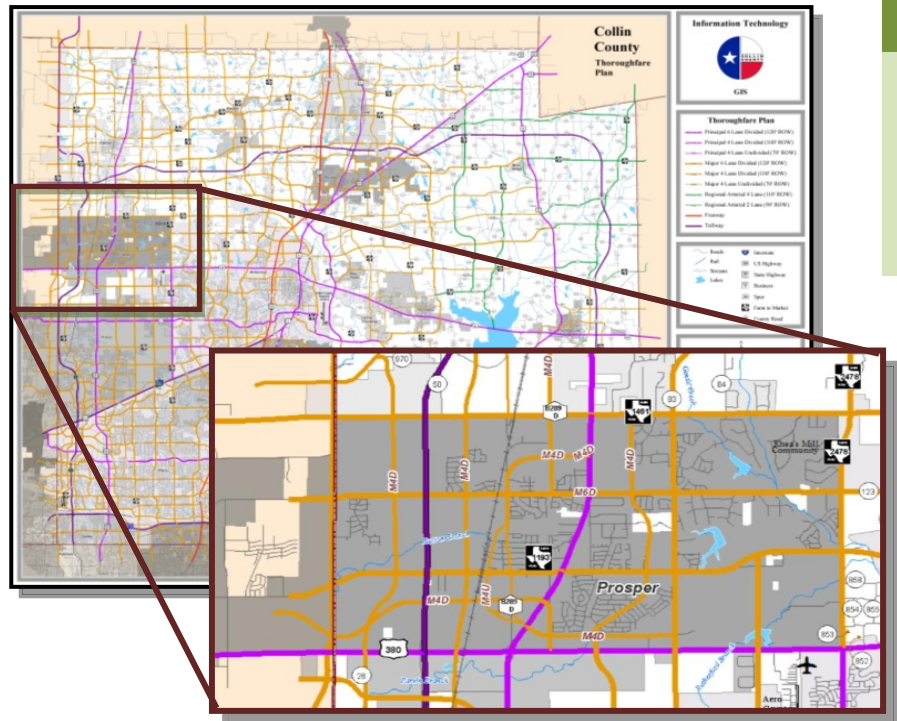
Within the Town, the 2007 County Plan contains some differences relative to the Prosper Thoroughfare Plan including:

- Prosper Trail as a six-lane divided (Plan has four lanes);
- First Street as a six-lane divided (Plan has four lanes);
- Extension of Independence Parkway north of US380 to First Street (not on Plan); and
- Extension of La Cima beyond north First Street to Frontier Parkway (not on Plan).

As the update to the 2012 Mobility Plan is developed, it is recommended that Prosper's Thoroughfare Plan elements be conveyed to County planners for inclusion into their plan.

The County Plan also contains the northeastern section of the planned Dallas-Ft. Worth Regional Outer Loop. Currently, only a portion of this corridor, from Dallas North Tollway to SH 5, remains in the NCTCOG *Metropolitan Transportation Plan: Mobility 2035* as viable due to financial funding constraints. While not a direct impact to Prosper, a long-term benefit of this improvement is the potential reduction in north/south travel on surface streets in favor of highway access on the DNT.

2007 Collin County Transportation Plan



**Area Transportation Service**

A topic identified early in the planning process was a desire to provide shuttle service for seniors within Prosper. Collin County Area Regional Transit (CCART) currently provides transit services in Collin County, including on-call/demand response. This service provided by the County can be utilized by seniors, or other Town residents, when there is a need for transportation assistance.

CCART operates Monday through Friday with service from 6am to 6pm. Advanced reservations also can be made from 6am to 6pm.



# TRANSPORTATION

## Highway Improvements

Plans are underway for improvements to key highway corridors within Prosper. The following summarizes activity on Preston Road (SH 289), US 380 and the DNT:

- Preston Road (SH 289) Overpass at Highway 380:** Construction is underway to expand this overpass from two to six-lane lane divided. Work on this project began in March 2011 and is slated for completion in September 2012.
- Preston Road (SH 289):** Preston Road will be expanded from two to six-lane divided between Highway 380 and FM1461/Frontier Parkway. Construction is set to begin in the first quarter 2012 with completion targeted for first quarter 2014. All major crossings with Preston will be at-grade.
- Highway 380:** TXDOT is currently developing schematic plans to expand this facility from 4/5 lanes to six-lanes between Custer Road and the Collin County line. Between Lovers Lane, both east of Preston and west of DNT, a differing roadway section is being planned and will contain grade separated main lanes at Preston and DNT and frontage roads. The Highway 380 frontage roads will intersect with frontage roads of DNT and Preston will be similar to the SH 121/DNT/Preston interchange (three level interchange). This 2-3 year project is slated to begin early 2014 with completion in 2016 or early 2017. Within the Denton County portion of Highway 380, there are no current plans for expansion at this time.
- Dallas North Tollway:** Currently, no timing has been established for the implementation of the adjoining frontage road or extension of main lanes to FM 428 in Celina. The Town is working with the County to potentially initiate the implementation of the southbound frontage road between Highway 380 and Frontier Parkway, however no plans have been finalized at this time. Grade

separations are envisioned at Lovers Lane, First Street, Prosper Trail and Frontier Parkway.

## Regional Rail

In 2005, NCTCOG initially examined the feasibility of long-term regional rail service to various areas of the Metroplex. Within the Prosper area, analysis of regional rail extended only through Frisco. The Frisco Line, a 34.3 mile line extending from Irving to just south of Highway 380 in Frisco, was considered in the study. Evaluations considered long-term population and employment growth, existing rail corridors and compatibility with other freight operations, projected rider-ship, capital and operations/maintenance costs, system connectivity, among others in the analysis. A potential station location within Prosper is the BNSF Railroad at First Street within the Old Town district.

The analysis concluded with a rider-ship forecast of 1,000 to 3,000 persons daily at the far northern end of the line in Frisco, and was initially recommended for inclusion to Mobility 2035 as a corridor for further evaluation. While no funding has been identified at this time, this line has been recommended for long-term consideration in *Mobility 2035*.

*Mobility 2035* has also identified the consideration of this rail line through Prosper to the northern county limit as a “corridor for



TRANSPORTATION

future evaluation”.

**Existing Conditions**

An analysis of existing traffic volume was conducted to identify travel patterns and serve as a basis for identifying roadway needs. Traffic volume data collected in April 2010 as part of the roadway impact fee system update was used to conduct a level of service analysis. Data collected as part of that study effort contained PM peak hour directional volume—roadway capacity values based on roadway functional class and existing street cross-section.

“Level of service” refers to the operation condition of a roadway segment under traffic demand and is a calculation of volume to capacity. Level of service is gauged with a measure of “A” through “F”, with “A” reflecting roadways with free flow and little or no congestion, and “F” reflecting roadways with severe congestion. The analysis revealed that the majority of roadways in Prosper appear to be operating at acceptable levels of service (A/B/C). The exceptions were Highway 380, Preston Road and portions of Coit and Custer Road north of Highway 380 during the peak hour—these segments were calculated to operate at or below acceptable levels of service (LOS D and E/F). Planned expansion to Highway

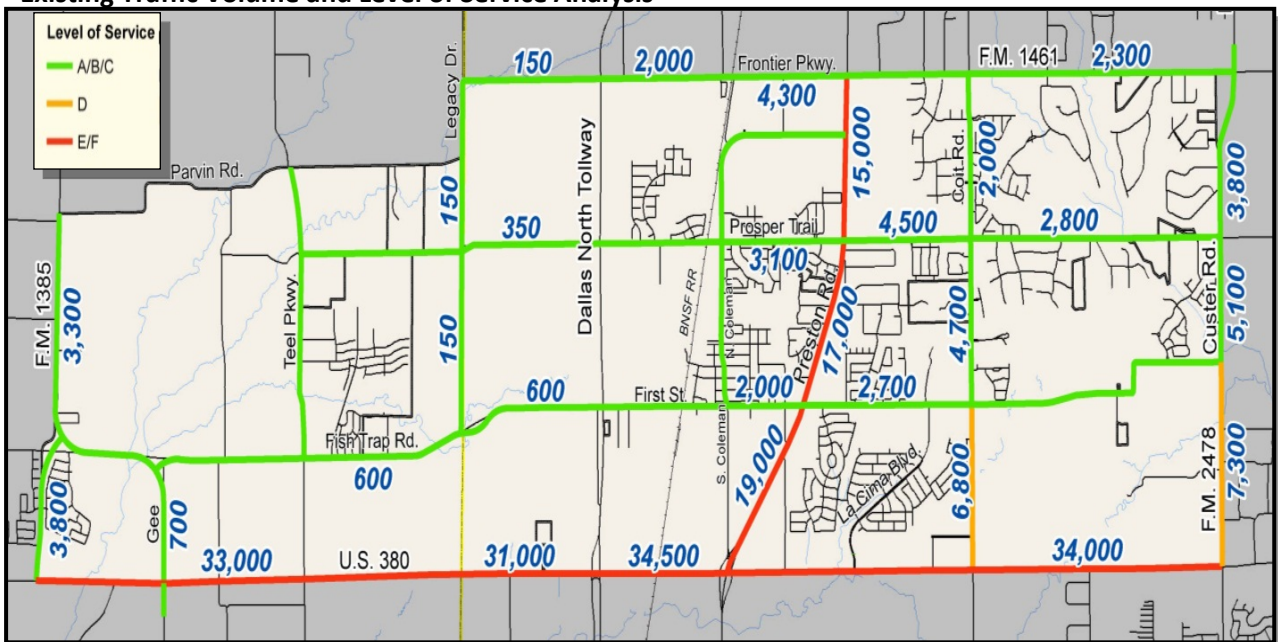
380 and Preston should alleviate traffic demands currently experienced. While peak volumes are relatively low on Coit and Custer Roads, the narrow roadway sections contribute to the reduction in operational service.

**Projected Conditions**

The assessment of projected travel conditions on the thoroughfare network is important to determining the capability of the roadway system to accommodate projected area growth and roadway needs for a 20-year planning period.

Two approaches were used to assess projected travel demand conditions for a 20-year horizon. The first approach involved review of travel model forecasts prepared by NCTCOG as part of *Mobility 2035*. The second approach involved development of travel demand characteristics based on remaining developable land within Prosper and then assignment of projected growth on this remaining developable land to the adjacent road network to yield roadway needs.

Existing Traffic Volume and Level of Service Analysis



## TRANSPORTATION

### Projected Traffic Conditions

The Thoroughfare Plan network was compared to travel forecasts prepared by NCTCOG in order to assess its ability to accommodate traffic from future land uses within the Town. Regional travel forecast data from *Mobility 2035: The Metropolitan Transportation Plan for North Central Texas* was used as a basis for the comparison. This sophisticated model forecasts traffic demand on the regional transportation network relative to projected population and employment growth for year 2035.

Projected 2035 traffic volumes for key roadways include:

- Preston Road – 53,000
- Highway 380 – 65,000
- Custer Road – 36,000
- Coit Road – 7,000
- Frontier Parkway – 20,000
- FM 1385—34,000

It is important to note that assumptions are made with respect to the amount of roadway network in place for Year 2035. For example, with Coit Road not included to its ultimate configuration (6-lane), travel demand shifts occur to roadways offering availability of higher capacity. This partly explains the higher volumes that resulted on Preston Road. With Coit Road fully in place, localized traffic would shift from away Preston Road.

Under the Mobility 2035 forecast (and network assumptions contained within), all roads within Prosper are forecasted to operate at acceptable levels-of-service with the exception of Preston Road and Highway 380, which is anticipated to experience very high travel demand.

### Thoroughfare Plan Compatibility

A screen line analysis was conducted to compare projected volume relative to capacity provided by the Thoroughfare Plan network at its ultimate configuration. Separate screens were used to segregate north-south from east-west demand, as well as demands east and west of the Dallas North Tollway. Adjustments were made for factor up travel demands commensurate with a population of 60,000 within Prosper in 2035, based upon the 8% growth projection.

The analysis revealed the Thoroughfare Plan to have sufficient capacity at ultimate configuration to accommodate projected demands at year 2035. A sensitivity analysis was then conducted to assess network impacts with select roadways not to full buildout. Specifically, the north-south thoroughfares of Teel Parkway, Legacy Drive, and Coit Road were evaluated under a 4-lane scenario (all other Major Thoroughfares to 6-lane). The analysis revealed sufficient capacity of the network to be available at 2035. While ultimately, these specific roadways may need to be built to six lanes, a phased approach to facility implementation could be undertaken.

TRANSPORTATION

**Planning Principles**

Prosper’s Thoroughfare Plan is built upon traditional thoroughfare planning concepts, which focuses on a functional roadway network providing mobility and accessibility to vehicular traffic. In order to address the community’s goals of providing multi-modal options to residents, such as sidewalks and trails for walking and biking, it will be important to incorporate the trail system from the recently completed Parks Plan. Together, these components offer a range of mode choices from which residents move about the community.

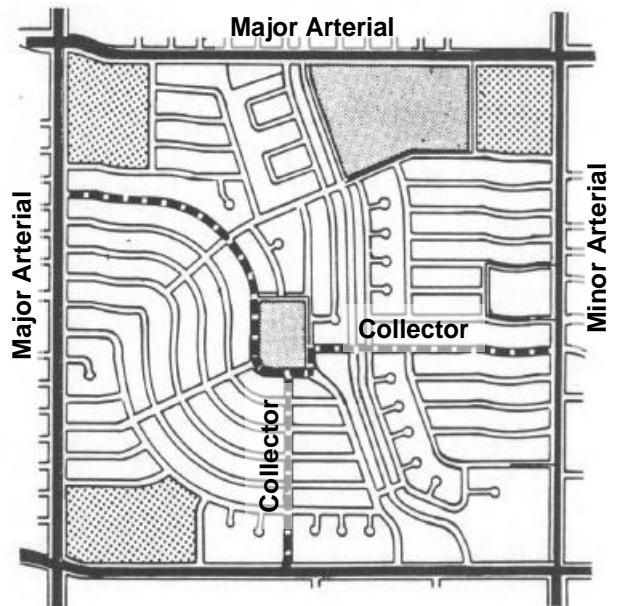
**Functional Street Classification**

Functional street classification recognizes that streets are part of a system having diverse origins and destinations. Functional classifications also describe and reflect a set of characteristics common to all roadways within each class. Functions range from providing mobility for through traffic and major traffic flows, to providing access to specific properties. Characteristics unique to each classification include the degree of continuity, general capacity, and traffic control characteristics.

In short, the functional classification of streets provides for the circulation of traffic in a hierarchy of movement from one classification to the next. Functional classes can be subdivided further into major and minor designations to further detail their role in the community.

Access and movement functions are directly related in that as uninhibited movement increases (speed), points of access decrease and vice versa. This is typically why freeways, with a high level of movement, have limited access points where as streets in neighborhood areas have more access points and reduced speed. Prosper’s current Thoroughfare Plan recognizes four general classifications for roadways based upon a hierarchical function and include:

- Major Thoroughfare: 6-lane divided roadway within 120’ ROW. These streets are designed to provide a high degree of mobility, service relatively high traffic volumes, have high operational speeds, and service a significant portion of through travel.
- Minor Thoroughfare: 4-lane divided roadway with a similar function to the Major Thoroughfare, but more local in nature. The urban section is a curbed roadway within 90’ROW.
- Commercial Collector: 2 and 3-lane undivided roadway serving as connections between arterials and local streets. The 2-lane section consists of 36’ of pavement within a 60’ROW. This section is also aimed at serving residential applications. The 3-lane section contains a continuous left-turn bay and on-street parking within a 60’ROW and is used for handling commercial applications.
- Neighborhood Street: 2-lane streets for accommodating neighborhood traffic. An urban and rural section are both contained within a 50’ ROW. The urban section is curbed with 31’ of pavement and the rural section contains 27’ of pavement.



Town of Prosper, TX





# TRANSPORTATION

Figure 7: Functional Street Classifications

| Type of Roadway       | Function   | Spacing (Miles)        | Direct Land Access   | Roadway Intersection Spacing <sup>(3)</sup> | Volume Ranges (Veh./Day) | Speed Limit (MPH) | Parking   | Comments   |
|-----------------------|--|------------------------|--|---|--------------------------|-------------------|-----------|--|
| Highway/<br>Tollway   | Traffic Movement;<br>long distance travel.   | 1-5                    | Provided by on/off ramping schematics to continuous frontage roads.                        | 1 mile                                      | 45,000 to 125,000        | 55-70             | None      | Supplements capacity of arterial street system and provides high speed mobility. |
| Major Thoroughfare    | Moderate distance inter-community, intra-metro area, traffic movement. Serves long trip lengths.   | ½ - 1 ½ <sup>(2)</sup> | Restricted – some movements may be prohibited; number and spacing of driveways controlled. | ¼ mile                                      | 36,000 to 45,000         | 40-55             |           | “Backbone” of the street system.   |
| Minor Thoroughfare    | Mobility function is primary; access function is secondary. Serves moderate trip lengths.  |                        | May be limited to major generators; number and spacing of driveways controlled.            | ⅛ mile                                      | 20,000 to 28,000         | 30-45             |           | Provides route and spacing continuity with major arterials.                      |
| Commercial Collector  | Primary – collect / distribute traffic between local streets and arterial system. Serves commercial/ mixed use development; inter-neighborhood traffic movement. | ¼ - ½ <sup>(2)</sup>   | Safety controls; limited regulation.   | 300 feet                                    | 12,000 to 18,000         | 30-40             | Permitted | Through traffic should be discouraged.   |
| Residential Collector | Primary – internal to one neighborhood; serves short trip lengths. Provides land access.   |                        |  | 300 feet                                    | 6,000 to 12,000          | 30-35             | Permitted |  |
| Neighborhood Street   | Land access.   | 2 lot lengths          | Safety control only.   | 125 feet                                    | 200 to 1,500             | 25-30             | Permitted |  |

(1) Spacing determination should also include consideration of (travel within the area or corridor based upon) ultimate anticipated development.

(2) Denser spacing needed for commercial and high-density residential districts.

(3) Spacing and intersection design should be in accordance with state and local thoroughfare standards.

TRANSPORTATION

Shared Access and Cross Access

**Access Coordination**

Flow of traffic is typically a major concern for most communities. The ability to move traffic efficiently along a corridor with minimal interference from traffic turning off and onto intersecting driveways/streets is a major benefit to motorists. Ideally, traffic should be able to avoid unnecessary “stop-and-go” traffic due to the abundance of intersecting driveways/ streets. While the implementation of deceleration lanes for streets and driveways on major and minor thoroughfares enhances capacity and accessibility, promotion of access management offers added benefits for the following reasons:

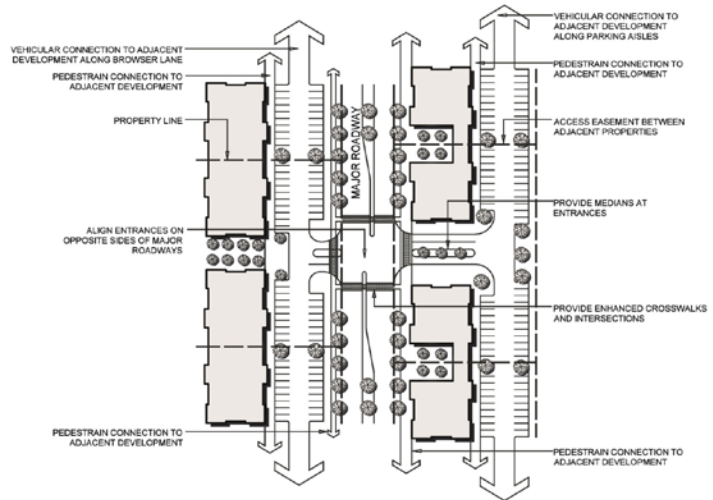
- 1) Reduces the number of ingress and egress points improving vehicular flow and reducing collisions;
- 2) Reduced driveways permit more landscaping frontage thereby enhancing roadway aesthetics; and
- 3) Reducing the number of driveways enhances the pedestrian experience by reducing pedestrian contact with turning traffic.

Along key corridors, the concept of access coordination can be extended from individual sites to address corridor-wide segments.

Master planning at a corridor scale enables:

- Coordination of transportation and land use planning/decision making;
- Allows for flexible and special area consideration to adjacent site development, special access and utilities coordination, and limits unnecessary connection points;
- Economic benefits, aesthetics and amenity considerations; and
- Promotes activity-based development centers, not strip retail.

In larger corridors, the implementation of backage roads further helps to support main road safety and operations, internal and external site accessibility, and quality development patterns and design.



**Reducing the number of driveways enhances corridor landscaping and aesthetics**



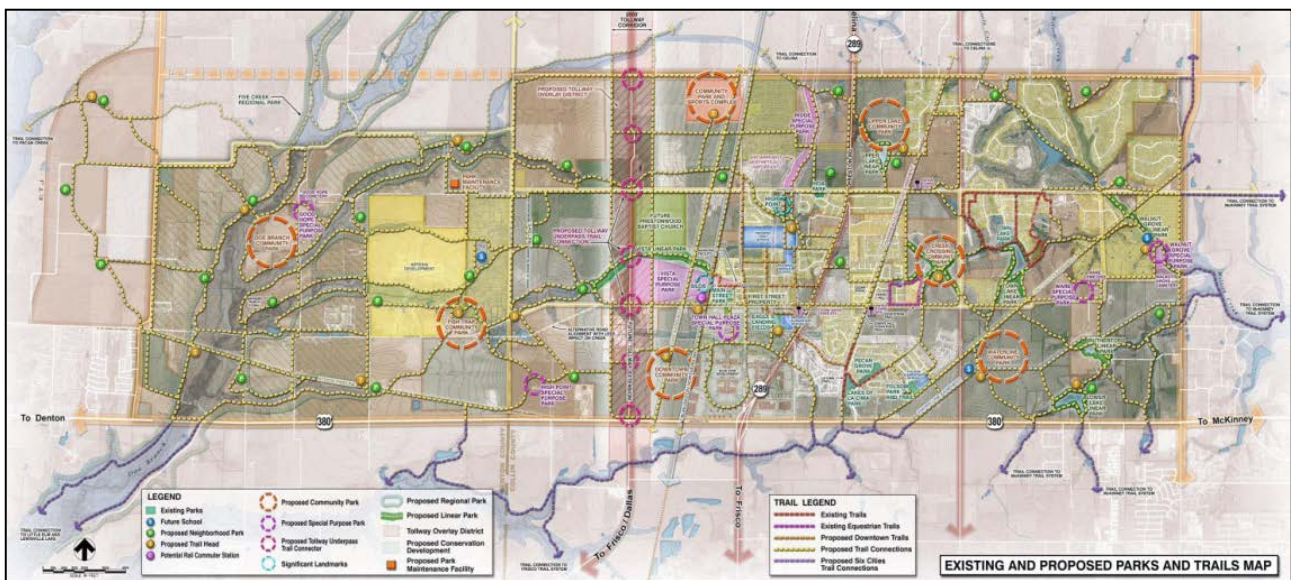
# TRANSPORTATION

## 2007 Parks, Recreation and Open Space Master Plan

A component in providing mobility choice is contained within the recently completed Parks Plan. The incorporated trail system is particularly important to mobility choice due to the connective nature that they serve from both within the community and the region—they may connect neighborhoods, schools, retail areas, recreational facilities and other core community or regional assets. Community trails are able to be utilized by residents for walking, jogging, biking and other recreational activities. Although intangible, trails have the ability to significantly improve the quality of life within the community by creating recreational options for residents and therefore serve a multitude of purposes beyond simply connectivity. It is important that elements of the Parks Plan be considered as new development occurs.

The completed Parks Plan incorporates trails along several major roadways within the Town such as along Prosper Trail, First Street and Preston Road. Reflecting these trail connections on the Thoroughfare Plan emphasizes the significance of these trail connections within the overall connectivity framework.

As roadway improvements coinciding with growth continue to occur, the Town should work to incorporate these roadway adjacent trail connections beginning with roadway planning and design.



TOWN OF PROSPER – PARKS AND TRAILS MASTER PLAN

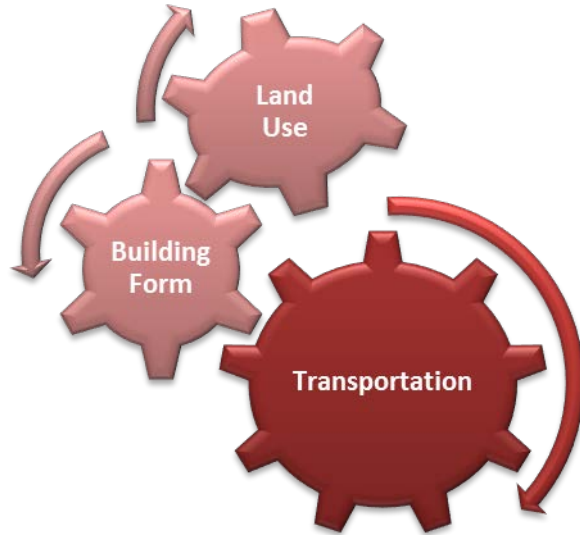
TRANSPORTATION

**Transportation Plan**

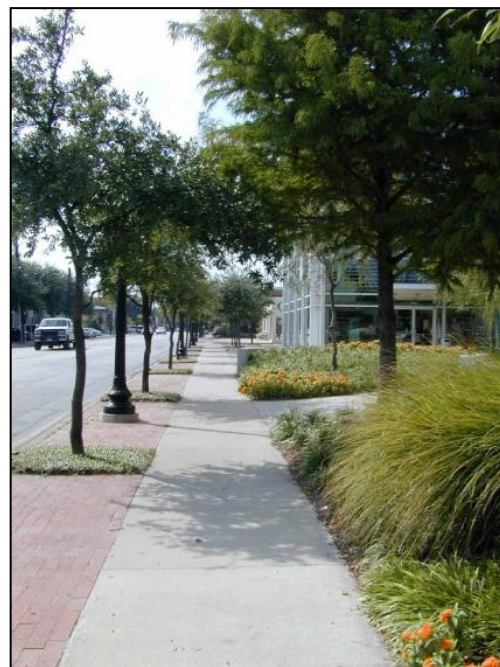
The Transportation element of this Plan is intended to serve as a guide for transportation decisions within the Town. It was developed based upon past transportation planning efforts, connectivity efforts on key thoroughfares with adjacent communities and input from the CPAC, Town Staff and public input.

This Plan should be used as a reference when updating the Town’s Thoroughfare Plan, Thoroughfare and Circulation Design Standards and any related ordinances, and should be referred to when considering a wide range of decisions related to both transportation and land use. Transportation decisions do not exist within a vacuum, but are directly related to decisions regarding land use and building form. Therefore, the ultimate objective of this Plan is to create a balanced transportation system within Prosper which provides for the safe mobility of residents, considers both current and future needs, enhances connectivity and mobility options, and promotes a more livable community through a proactive approach to the Town’s appearance.

The Thoroughfare Plan is reflected in Plate 3. Street classifications were developed based upon a number of factors including the roadways regional significance, current or projected traffic volumes, and land use. It is important to note that although a roadway may be identified as a Major Thoroughfare, the roadway design should not be rigid, but should consider a multitude of factors during its design including adjacent land use and context, among others.

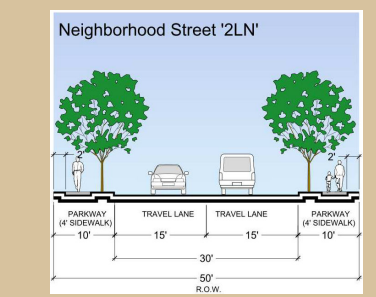
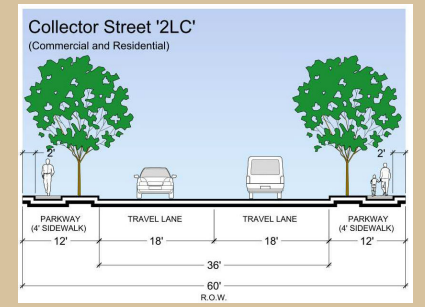
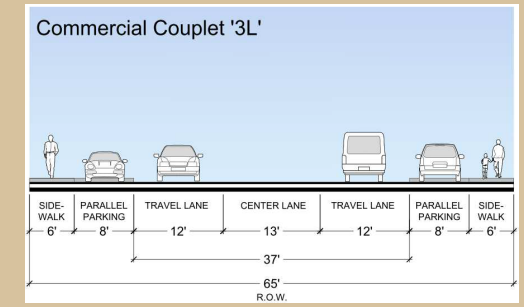
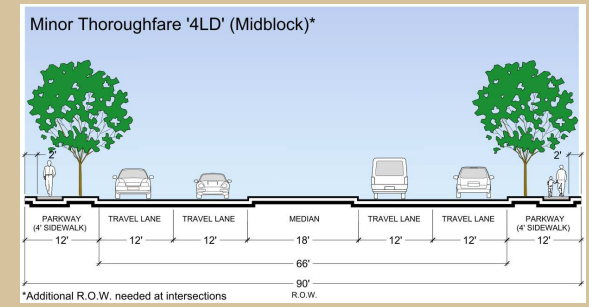
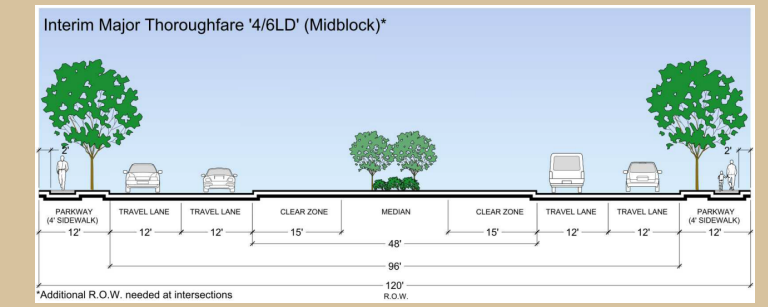
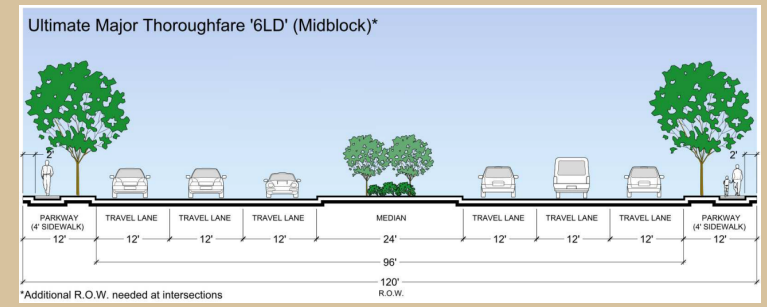
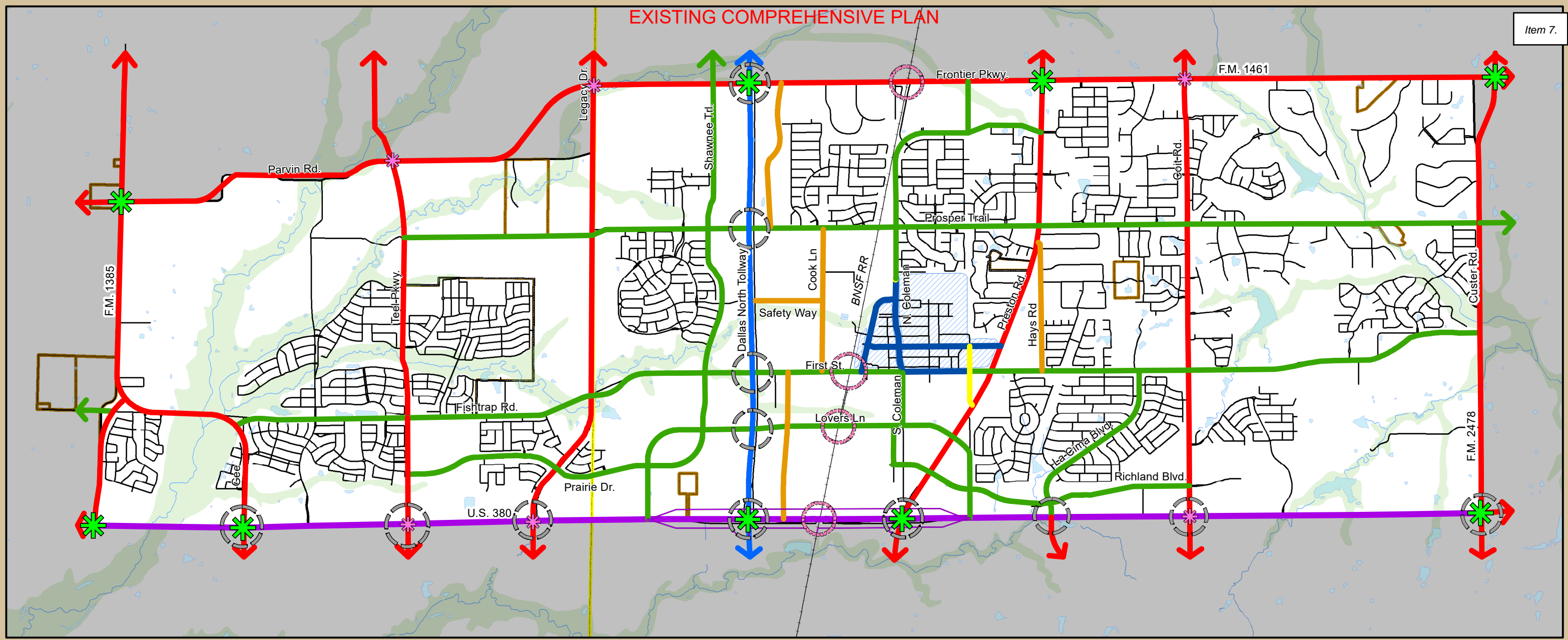


**Example high-rated street design photos from the VCS**



Town of Prosper, TX

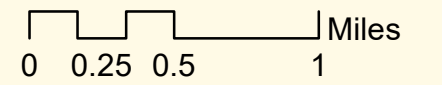
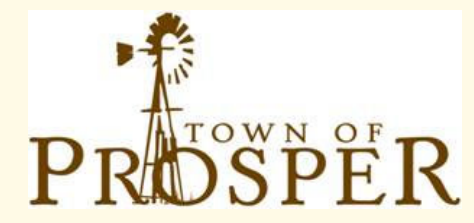




- ### Thoroughfare Description
- █ Limited Access Roadway/Freeeway (330' ROW)
  - █ Dallas North Tollway
  - █ Major Thoroughfare (6 lane; 120' ROW)
  - █ Minor Thoroughfare (4 lane; 90' ROW)
  - █ Commercial Couplet (3 lane; 65' ROW)
  - █ Commercial Collector (2 lane; 60' ROW)
  - █ Old Town District (Section Varies)
  - █ Access Roads

- Major Gateway
- Minor Gateway
- Grade Separation
- RR Grade Separation
- Town of Prosper
- ETJ
- 100 Year Floodplain

The Thoroughfare Plan is for informational purposes and has not been prepared for and is not intended for legal, real estate, engineering, or surveying purposes. It is provided as a conceptual guide for transportation decisions within the Town related to general roadway alignments and classifications. The Town of Prosper does not assume any responsibility or liability for omissions, inaccuracies, or misinterpretations of the Thoroughfare Plan.



# Thoroughfare Plan

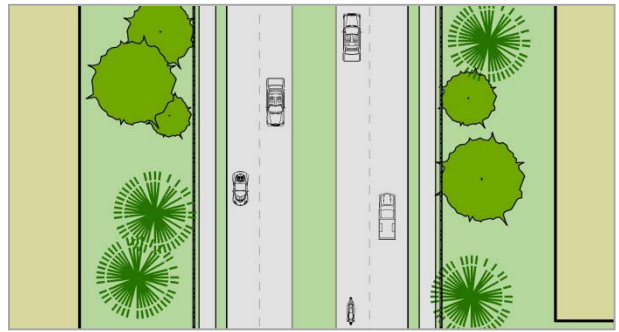
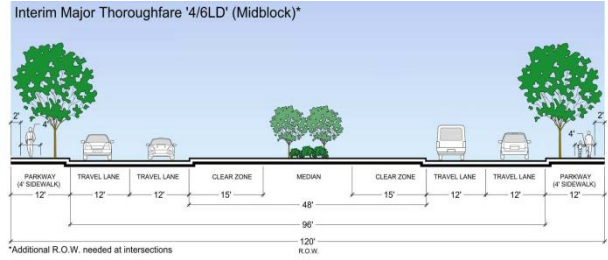
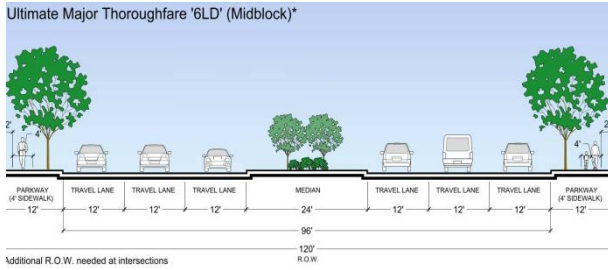
**Plate 3**  
May 2020



\* Refer to Comprehensive Plan for Interim Development of Coit Road between Frontier Parkway and Prosper Trail.

TRANSPORTATION

Cross Sections

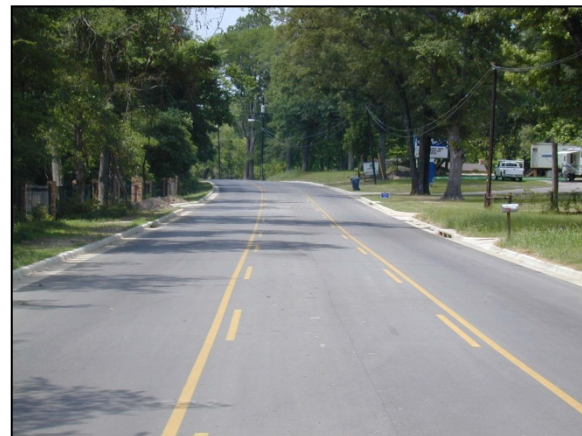
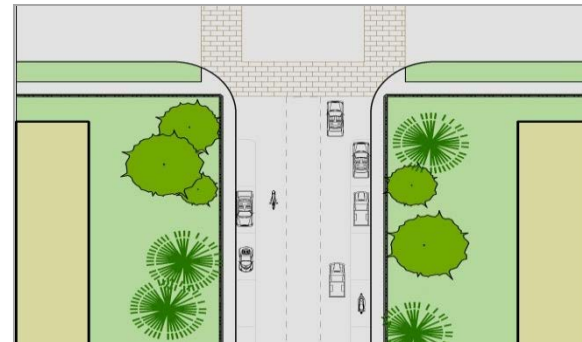
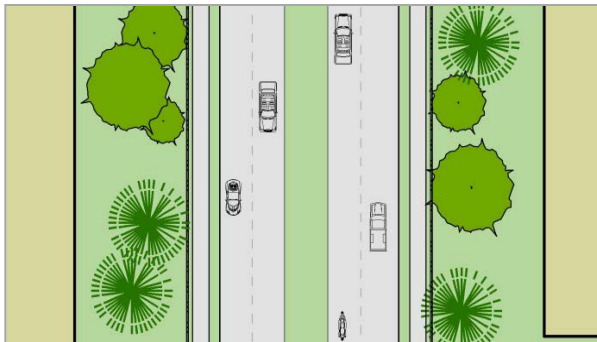
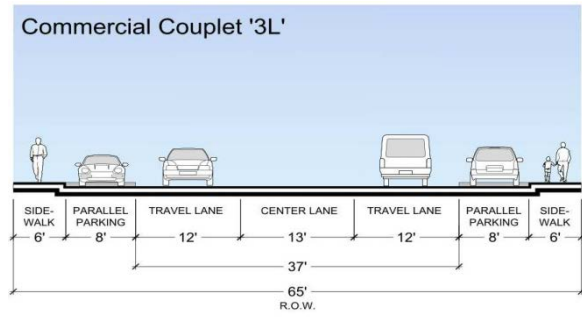
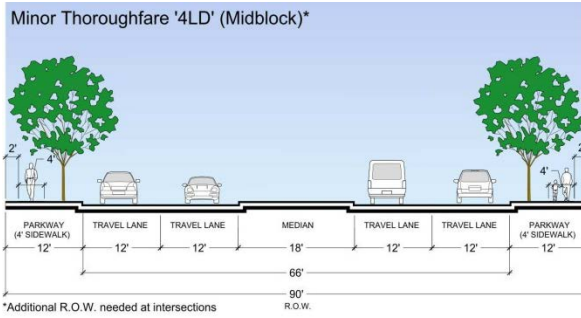


- High degree of regional mobility, traffic volumes and higher operational speeds
- Connected to regional thoroughfare facilities
- Access is carefully managed
- 6 lane divided roadway with median
- Curb and gutter with underground stormwater drainage
- Examples in Prosper include Frontier Parkway, Legacy Dr, Teel Parkway, Gee Rd, Preston Rd, Coit Rd, Custer Rd and Highway 380

- High Degree of regional mobility, traffic volumes and higher operational speeds
- Connected to regional thoroughfare facilities
- Access is carefully managed
- 4 lane divided roadway with median expandable to 6 lanes
- Curb and gutter with underground stormwater drainage
- Examples in Prosper include Frontier Parkway, Legacy Dr, Teel Parkway, Gee Rd, Preston Rd, Coit Rd and Custer Rd



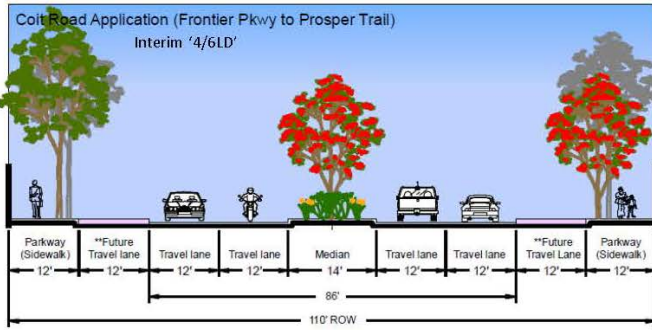
# TRANSPORTATION



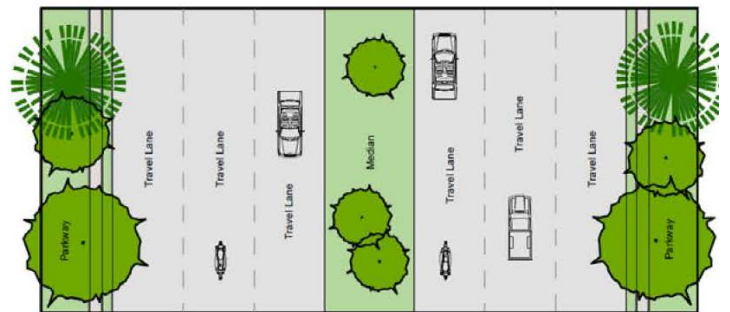
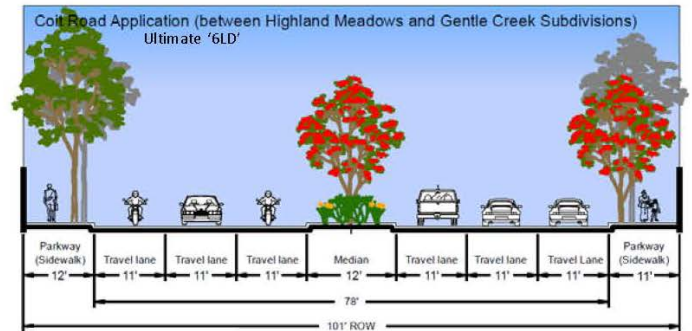
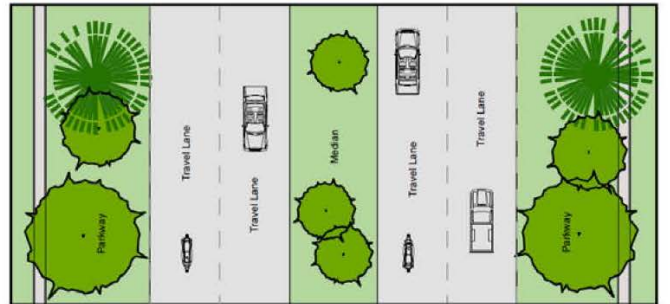
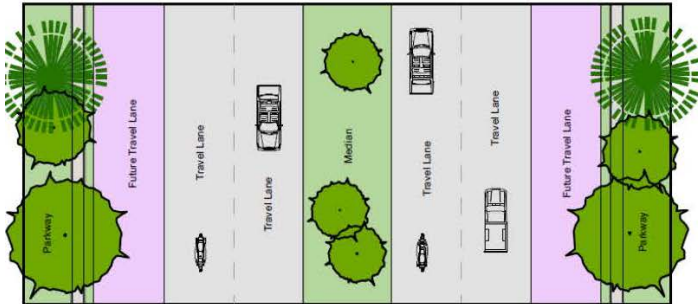
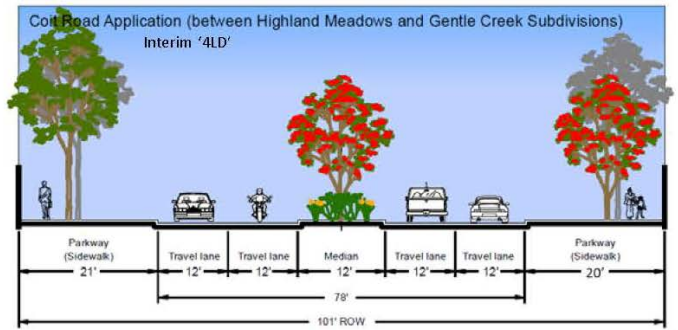
- Cross-town mobility
- Secondary to Major Thoroughfare but still accommodate higher operational speeds and traffic volumes
- Access is carefully managed
- 4 lane divided roadway with median
- Examples in Prosper include Prosper Trail, Fishtrap Rd, First Street, Lovers Lane and La Cima Blvd
- Curb and gutter drainage

- Collection/distribution of traffic
- Back access to Frontage Road development
- Connectivity between arterial and residential collector streets
- On-street parking permitted

TRANSPORTATION



\*\* Future travel lane, as warranted.

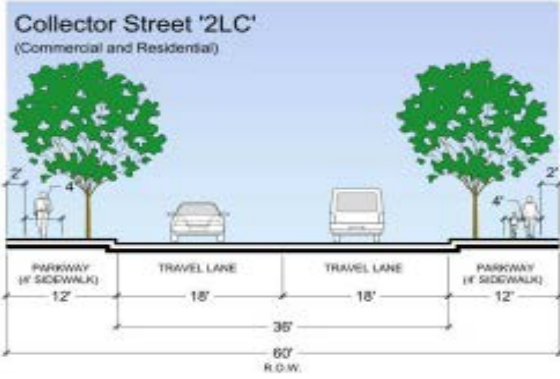


- High Degree of regional mobility, traffic volumes and higher operational speeds
- Connected to regional thoroughfare facilities
- Access is carefully managed
- 4 lane divided roadway expandable to 6 lanes
- Curb and gutter with underground stormwater drainage



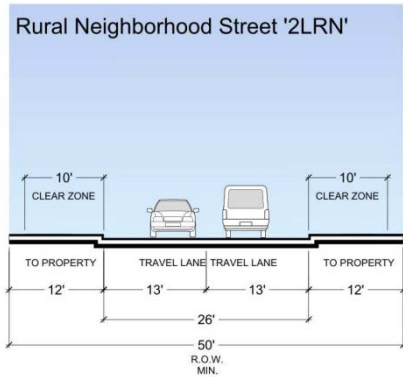


# TRANSPORTATION



- Collection/distribution of traffic
- Back access to Frontage Road development
- Connectivity to thoroughfare and residential collector streets
- On-street parking permitted

- Local residential street.
- Traverse internally within residential neighborhoods
- Access to properties
- 2 lane undivided roadway
- Underground stormwater utilities with curb and gutter



- Local rural residential street.
- Traverse internally within residential neighborhoods
- Access to properties
- 2 lane undivided roadway
- Bar ditches for drainage(width varies based on area calculations)
- For large rural area lots over 1 acre



# TRANSPORTATION

## Plan Modifications

The following modifications to the Thoroughfare Plan were developed as part of this planning process. These adjustments were developed based upon input received from the CPAC, Town Staff, land programming of the Future Land Use Plan and supporting transportation analyses.

### Old Town District Considerations

Roadways in this district are geared toward retaining the historic feel of the Old Town area. A series of two-lane streets with varying cross-sections are aimed to support residential, boutique/cottage style office and specialty retail, and a mixed-use core area at Broadway and McKinley Streets. Wide landscaped medians, parkways and sidewalks are intended to provide an open feel to key corridors in the district.



Within the mixed-use core area, wide sidewalks and on-street parking are envisioned to create a “sense of place” and allow for street amenities and gathering area. Development setbacks would also create opportunity for outdoor activity, dining or retail.

Gateways and intersection treatments at key intersections have been identified to define district edge as well as tie the area together. Features for these treatments should be coordinated with theme, look and color.

**Section A:** Four lane divided roadway with a landscaped median and a landscaped parkway separating pedestrians from traffic. This section serves as a major entrance into Old Town from the east. No on-street parking.

**Section B:** Two lane divided roadway with a large center median containing landscaping. Wide travel lanes allow for bicycle accommodation and a landscaped parkway separates pedestrians from traffic. No on-street parking.

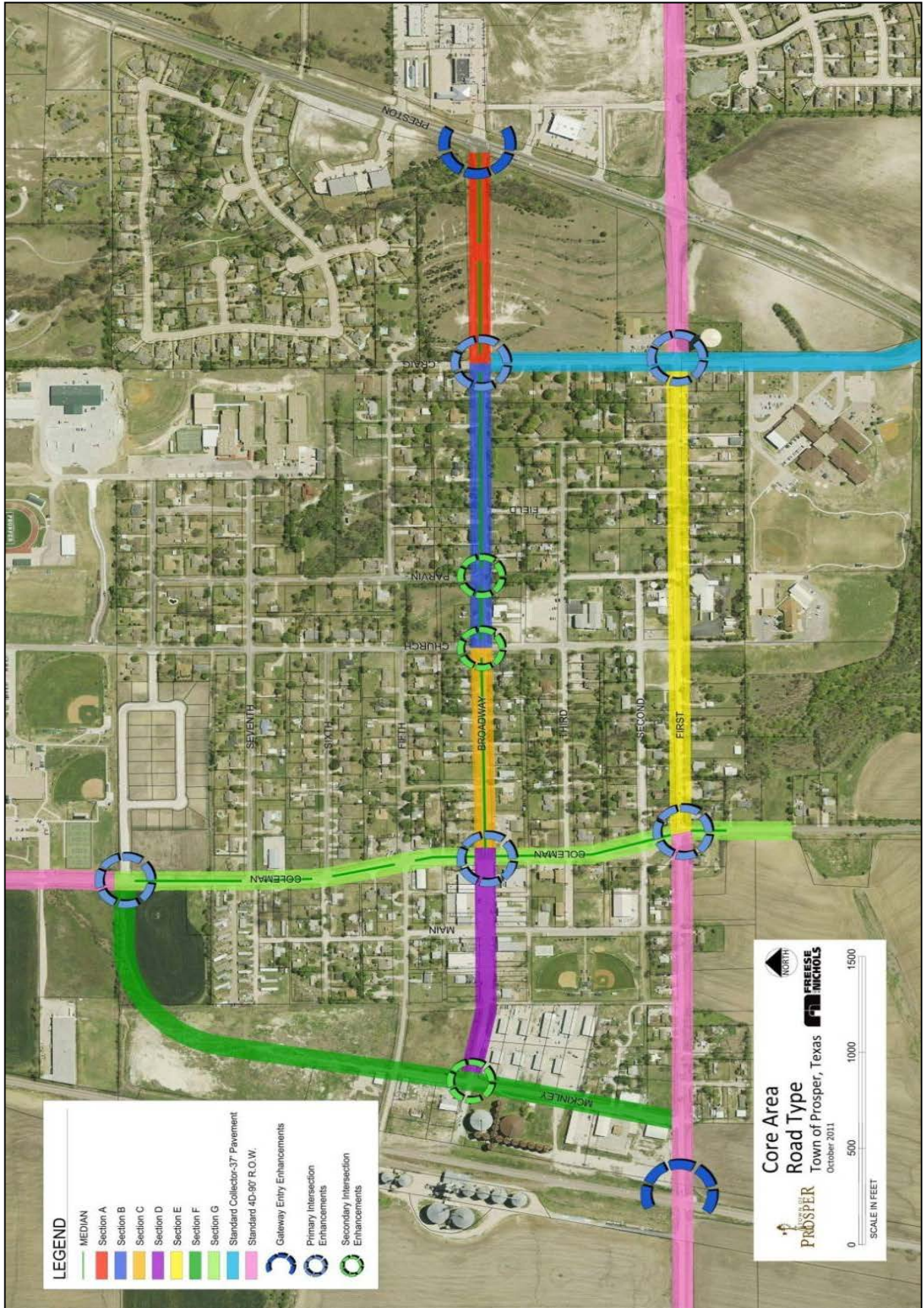
**Section C:** Two lane divided roadway with a large center median containing landscaping. On-street parallel parking is permitted and a landscaped parkway separates pedestrians from traffic.

**Section D:** Two lane undivided urban roadway. Wide 20’ sidewalks accommodate patio seating, pedestrian traffic and street trees. On-street angled parking is permitted and bulb-outs are located at intersections to enhance pedestrian visibility at crosswalks.

**Section E:** Two lane undivided roadway with on-street parallel parking and an immediately adjacent 8’ sidewalk. A large private setback of 25’ is included.

**Section F:** Two lane undivided roadway with on-street parallel parking and a 15’ sidewalk. 10’ of the sidewalk will be located within the right-of-way and the additional 5’ will be a 5’ setback to building face.

**Section G:** Two lane divided roadway with a center median containing landscaping. On-street parallel parking and a 10’ sidewalk are included.



# TRANSPORTATION

## DNT Backage Roads

The thoroughfare plan calls for paralleling system of streets to support anticipated corridor development along the Dallas North Tollway. Sometimes referred as backage roads, these roads help to support development connectivity and accessibility. At Prosper Trail, a realignment of the backage road east of the Tollway was identified to avoid existing development and retain continuity for development opportunity to the north and south. This realigned commercial collector would still allow for 400-600' lot depth for properties along the Tollway.

## Hays Road Collector

Upgrade Hays Road as a commercial collector street to support future commercial/retail development opportunity along Preston Road north of First Street. Extending from First Street, Hays should be realigned at the north end to intersect Preston Road at Bridgeport Drive. This realignment would also help to reduce intersection points along Preston Road. The realignment of Hays at Bridgeport would also require a realigned intersection for Chandler Circle.

## South Coleman Road

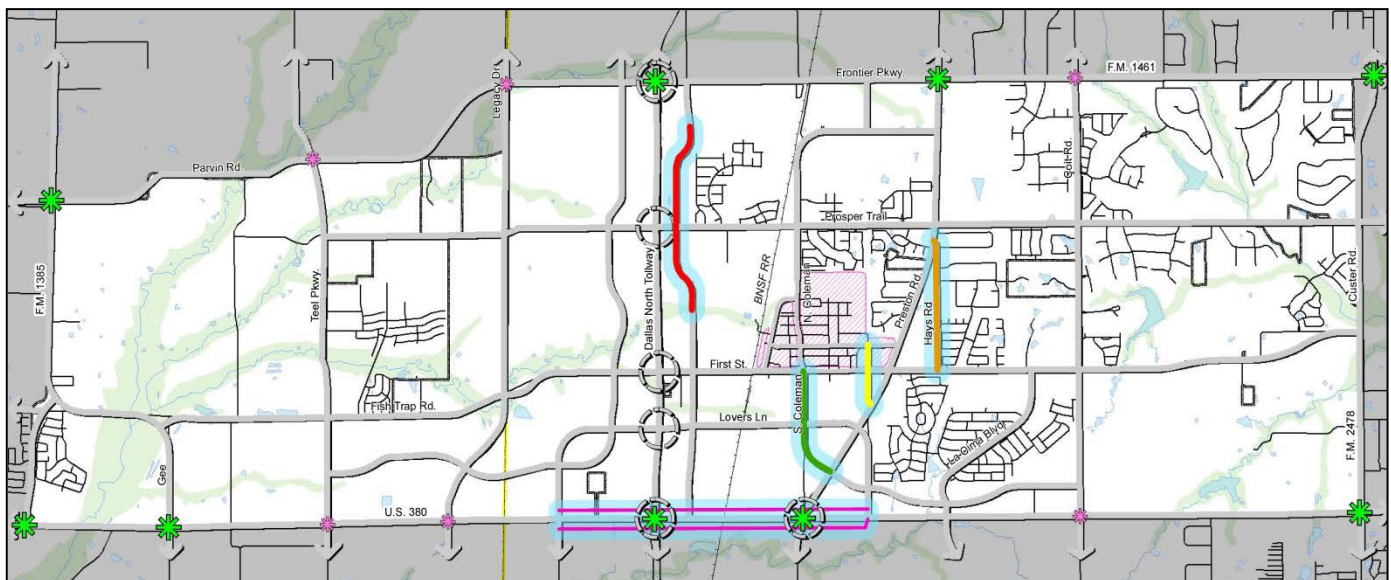
Extend and realign S. Coleman Road to intersect with Richland Blvd. at Preston Road. In addition to supporting development within Town Center, this connection would also create back access/connectivity with development anticipated east of Preston along Highway 380. Within Town Center, S. Coleman Road should be upgraded to a four-lane divided minor Thoroughfare (90' ROW) to provide roadway capacity to support heavy development anticipated for this area. Consequently, the previously identified loop road extending from S. Coleman Road and back to McKinley Street should be removed from the Plan.

## South Craig Road

Upgrade Craig Road between Preston Road and Broadway Street as a 3 lane couplet street to support retail development opportunity both within the Old Town District and along Preston Road.

## Highway 380 Access Roads

The inclusion of access roads along Highway 380 between the Lovers Lane loop.



# ECONOMIC ANALYSIS

## Economic Analysis

An important factor to consider in the planning process is how land use decisions ultimately impact the future financial state of the community. Therefore, Prosper’s Future Land Use Plan not only guides development within the community but it provides the financial framework enabling Prosper to provide high-quality services for its residents. The following section pertains to this very topic and provides estimates on the potential sales tax and ad valorem tax revenue that could be collected by the Town at build-out. In order to provide a detailed analysis, experts at Catalyst Commercial were consulted and provided information on future retail trade potential in Prosper based upon the Future Land Use Plan.

### Analysis from Catalyst

An analysis using the projected build-out population of Prosper at 69,303 served as a basis to project a retail purchasing power of \$856,013,933, assuming 23,024 households with a \$37,183 retail trade per household. This would equate to roughly 2,853,379 square feet of retail space.

Figure 8: Retail Demand Forecast

| Retail Demand Forecast                  | 2011 City Estimate   | Total Build Out Capacity |
|---|----------------------|--------------------------|
| Population                              | 10,560               | 69,303                   |
| Households                              | 3,504                | 23,024                   |
| 2010 Median Disposable Income           | \$67,422             | \$67,422                 |
| 2010 Per Capita Income                  | \$35,716             | \$35,716                 |
| Total Retail Trade per HH               | \$37,183             | \$37,183                 |
| Household Income                        | \$107,641            | \$107,641                |
| Retail percentage of HH Income          | 34.54%               | 34.54%                   |
| Forecasted Total Retail Trade Potential | <b>\$130,284,948</b> | <b>\$856,013,933</b>     |
| Est. Retail Sales per Square Foot       |                      | \$300                    |
| Retail Square Footage Demand*           |                      | <b>2,853,379</b>         |

### Sales Tax Analysis

|                        |                     |
|------------------------|---------------------|
| Annual Total           | <b>\$17,120,278</b> |
| <i>Allocation</i>      |                     |
| General Fund           | \$8,560,139         |
| Economic Development   | \$4,280,069         |
| Property Tax Reduction | \$4,280,069         |

\*Est. \$300 sales per square foot based upon International Council of Shopping Centers

### Acreage

For assumption purposes, we assumed a Floor to Area Ratio (FAR) of 0.18 for retail. Dividing the total square footage of retail by the FAR and further dividing by 43,560 achieves the estimated retail acres that would be needed to accommodate the 2,853,379 square feet of retail space. This number is 364 acres.

ECONOMIC ANALYSIS

In order to determine whether or not the Future Land Use Plan could accommodate the 364 retail acres projected by the economic analysis, a number of additional assumptions were made. These assumptions were derived from staff discussions, existing zoning regulations and future characteristics believed to define each district and include:

1. Approximately 70% of the Neighborhood Services will be retail in nature.
2. Approximately 45% of the Town Center would be retail in nature. The Town Center will likely have a mixture of retail, office, residential and public space. The primary use, however, will likely be oriented around retail.
3. 10% of the Tollway District will be retail. Office uses will constitute the largest majority of land within the Tollway District. Retail areas within the Town Center will likely be at major intersections and on the first floor of vertical mixed-use apartments/lofts.
4. 10% of the Highway 380 district will be retail. Commercial uses and residential uses will constitute a significant portion of the corridor. Retail areas at major intersections, including big-box retailers, will constitute the majority of retail establishments within the corridor.

Given these assumptions, a total of 757 retail acres is expected, based upon the Future Land Use Plan scenario and the above assumptions. Additionally, the presence of visible and attractive corridors in Prosper suggests the Town will be able to attract patrons from outside of the Town itself. Our preliminary analysis indicates that, based on current spending trends experienced today, the Future Land Use Plan contains more than sufficient retail space to meet the future needs of Prosper.

| Retail Assumptions                 | Comp. Plan Total Acres | Retail Acres per Category |
|------------------------------------|------------------------|---------------------------|
| Neighborhood Services*             | 331                    | 231.7                     |
| Town Center**                      | 575                    | 258.8                     |
| Tollway District***                | 1,426                  | 142.6                     |
| US 380****                         | 1,248                  | 124.8                     |
| <b>Total</b>                       | <b>3,580</b>           | <b>757.9</b>              |
| * Assumed 70% retail component     |                        |                           |
| ** Assumed 45% retail component    |                        |                           |
| *** Assumed 10% retail component   |                        |                           |
| **** Assumed 10 % retail component |                        |                           |



## ECONOMIC ANALYSIS

### Analysis

Based upon an extremely conservative allocation of retail acres, the Future Land Use Plan may accommodate approximately 750 retail acres. This is significantly higher than the 364 retail acres recommended by the economic analysis.

### Retail Sales Tax

While 364 acres of retail is recommended by the economic analysis, a number of different factors may affect long-term retail needs in Prosper and include the following:

- A potential build-out population higher than the current estimate of 69,303. The 2004 Comprehensive Plan and recent impact fee reports all estimate a buildout population of over 89,000 residents. Assuming a population of 82,000 residents, Prosper could accommodate approximately 430 acres of retail.
- Prosper will have a regional retail center in the Town Center. This area of the community will have a regional draw and will attract retail patrons from outside of Prosper. Additional retail acreage, therefore, can be accommodated due to the regional nature of such retail.
- Within retail areas, other uses such as churches, public facilities, schools and other non-retail uses may occur.

Due to the above factors, it is believed that the Town could potentially accommodate the 757 retail acres depicted in the chart on page 98. As the Town grows, and as further comprehensive plan studies are completed, this number should be carefully examined and adjusted, if necessary. Based upon the assumptions from page 97, 750 acres of retail would essentially double the initial 364 acre estimates from a 17.1 million total sales tax contribution to approximately **\$34 million** in sales tax revenue (**\$17.1 million to the general fund, \$8.6 million to Economic Development and \$8.6 million to property tax reduction**). This sales tax revenue, when combined with estimated Ad Valorem Tax

revenue, would enable Prosper to be financially secure and provide high level services and/or property tax reductions to its citizens. It is also recommended that additional neighborhood service retail zoning beyond what is recommended on the Future Land Use Plan should be avoided.

The 750 acres recommended by this economic analysis should be sufficient to meet Prosper's retail needs. Additional neighborhood services retail zoning should be avoided. Nodal retail activity should be concentrated at primary intersections, and the "four corner" principle should be avoided to reduce the possibility of an oversupply of retail acreage. Strip center development along major roadways should also be avoided, as the plan recommends.

The consequences of an oversupply of retail may include:

- Vacant, underutilized land;
- Lower rental rates leading to undesirable uses;
- Pressures for additional multifamily to fill vacant parcels; and
- Blighted corridors.



ECONOMIC ANALYSIS

An Ad Valorem analysis was conducted. Comparative properties were selected in each of the following Future Land Use Plan categories. Based upon the data collected from the Collin and Denton County Appraisal Districts, an average value per acre was assessed on the comparative properties to derive an estimated value per acre per land use category. The derived value per acre was then multiplied by the total number of acres within each district to calculate the total gross value of the district. Using the current tax rate of .52 cents per \$100 of assessed value, an approximate gross Ad Valorem tax contribution per district was calculated. In order to account for right-of-way, such as public streets, and tax exemptions, such as schools and churches, 30% of the total value was subtracted to derive the estimated value and Ad Valorem amount that could be contributed to the General Fund annually.

It is important to note that this analysis is for estimation purposes only and is based upon assessed values in 2011 dollars. The purpose of this analysis is to determine the approximate Ad Valorem contributions that could be generated based upon the Future Land Use Plan.

**Ad Valorem Tax**

| District  | Taxable Value           | Value per Acre | Tax Revenue (.52)   |
|---|-------------------------|----------------|---------------------|
| Dallas North Tollway                                    | \$2,790,756,612         | \$1,957,052    | \$14,511,934        |
| Highway 380   | \$1,321,585,597         | \$1,058,963    | \$6,872,245         |
| Town Center   | \$2,465,780,302         | \$4,288,314    | \$12,822,057        |
| Business Park   | \$247,358,925           | \$666,736      | \$1,286,266         |
| Neighborhood Services                                   | \$478,977,403           | \$1,447,062    | \$2,490,682         |
| Old Town<br><i>Figure 9 : Ad Valorem Estimates</i>      | \$140,457,586           | \$407,123      | \$730,379           |
| High Density  | \$564,358,076           | \$928,221      | \$2,934,661         |
| Medium Density  | \$7,015,502,244         | \$1,223,919    | \$36,480,611        |
| Low Density   | \$3,136,282,464         | \$567,550      | \$16,308,668        |
| <b>Gross Ad Valorem Total Value</b>                     | <b>\$18,161,059,208</b> | -              | <b>\$94,437,507</b> |
| <b>Total Ad Valorem Value (30% ROW &amp; Exemption)</b> | <b>\$12,712,741,445</b> | -              | <b>\$66,106,255</b> |



# ECONOMIC ANALYSIS

## Tax Gap

In order to determine whether or not the sales and Ad Valorem taxes generated by the Future Land Use Plan will be sufficient to cover the overall expenses incurred by the community at build-out, an approximate General Fund budget was calculated based upon the average per capita expenditures at today's spending levels.

The Fiscal Year 2010-11 budget indicates that the Town of Prosper had a General Fund budget of \$7,115,112. When this number is divided by the 2010 population of 9,423, an average per capita expenditure of \$755 per person is derived. This per capita expenditure by Prosper is comparable with other regional communities. Southlake has the highest per capital expenditure among the comparative group primarily due to its high residential property values, high-quality non-residential uses and its regional Town Center drawing patrons from outside the community. This situation enables Southlake to provide higher level services and enhanced aesthetics to its residents. The similarities between the economics and vision between Prosper and Southlake are similar in nature.

Multiplying the per capita expenditure of \$755 per person by the ultimate capacity of 69,303, an ultimate capacity General Fund budget for Prosper of \$52,323,765 is derived.

Discussed in the previous sections, the approximate Ad Valorem contribution to the General Fund at build-out would be approximately \$66.1 million. The approximate sales tax contribution to the general fund based upon the 750 retail acres would be approximately \$17.1 million. Based upon this scenario, total General Fund income from taxes at build-out would be approximately \$83.5 million. This scenario would position Prosper to be in a similar situation to Southlake and Richardson, enabling the Town to provide high quality services for its residents.

|            | 2010 Population | FY 2010-2011 General Fund Budget | Per Capita Expenditure |
|------------|-----------------|----------------------------------|------------------------|
| Southlake  | 26,575          | \$30,410,480                     | \$1,144                |
| Richardson | 99,223          | \$94,180,002                     | \$949                  |
| Allen      | 84,246          | \$72,270,464                     | \$858                  |
| Prosper    | 9,423           | \$7,115,112                      | \$755                  |
| Argyle     | 3,282           | \$2,320,366                      | \$707                  |
| Plano      | 258,841         | \$182,758,485                    | \$706                  |
| McKinney   | 131,117         | \$90,788,018                     | \$692                  |
| Frisco     | 116,989         | \$77,945,250                     | \$666                  |
| Celina     | 6,028           | \$3,945,684                      | \$655                  |
| Desoto     | 49,047          | \$29,760,521                     | \$607                  |
| Rowlett    | 56,199          | \$33,793,677                     | \$601                  |
| Little Elm | 25,898          | \$13,157,771                     | \$508                  |

It should be noted that additional forms of sales tax, such as Industry Tax and Inventory Tax, are not included and will create additional avenues for income. These numbers are approximate and are derived for estimation purposes only.

Figure 10: Tax Gap Analysis

|   |                     |
|---|---------------------|
| Total Town Ad Valorem Income at Build-out | \$66,106,255        |
| Total Sales Tax Income at Build-out       | \$17,120,278        |
| <b>Total Income from Tax at Build-out</b> | <b>\$83,590,594</b> |
| <b>Total Expenditures</b>                 | <b>\$52,323,765</b> |
| <b>Tax Gap Surplus*</b>                   | <b>31,266,829</b>   |

\*This is an estimate based upon the projected sales tax revenue and possible Ad Valorem revenue. This estimate does not include additional forms of sales tax such as Industry Tax and Inventory Tax.

## ECONOMIC ANALYSIS

### Economic Analysis Conclusion

Forecasted potential sales tax data indicates that Prosper has the potential to derive a significant monetary amount from sales tax receipts at build-out. This is ultimately dependent upon the community attracting high-quality retail establishments that serve residents of the community and provide regional retail destinations that attract patrons from outside of Prosper. The primary regional destinations will be located within the Town Center and at the intersection of the Dallas North Tollway and Highway 380. Additional retail may be located within the Dallas North Tollway and Highway 380 districts, but will likely be less intense in nature.

Retail/Neighborhood Service areas away from the major districts will likely serve the internal needs of Prosper, providing less intensive services to adjacent residential neighborhoods. Additional retail/neighborhood services zoning outside of the Dallas North Tollway, Town Center and Highway 380 districts should be carefully considered in order to avoid an oversupply of retail zoning. Flexibility within the Dallas North Tollway, Highway 380 and Town Center districts will enable Town staff to make appropriate, market-based land use decisions as development occurs.

An estimate of Ad Valorem taxes at build-out suggests that Prosper will have the potential for a significant Ad Valorem contribution to its General Fund. Prosper's high-quality neighborhoods and its dedication to providing high-quality retail destinations will be a primary factor in determining the ultimate Ad Valorem value of the community. As development

occurs, the community has expressed a desire to attract the highest quality development possible to protect the Town's visual character and maximize the taxable value for both the General Fund and Prosper ISD. Future non-residential land use decisions should consider the long-term potential contributions of that particular development to the community, favoring clustered nodal retail activity centers, Class A office space (office space defined by high-quality furnishings, state-of-the-art facilities and excellent accessibility) and corporate campuses over strip retail and stand-alone retail establishments.

The retail data provided indicates that the Future Land Use Plan created for Prosper provides a significant amount of retail space to meet the future needs of Prosper residents. The Future Land Use Plan also gives Town Staff, Planning & Zoning Commission and Town Council ultimate flexibility to determine where retail areas should be located within the established districts.

While the numbers provided are estimates on the potential sales tax and Ad Valorem income of the community at build-out, it is important to note that these are only estimates. To ensure that Prosper has a financially secure future, the land use and character principles outlined in this Plan should be used as a guide to attract the highest quality development possible. High-quality and long-lasting development is ultimately the key in ensuring that Prosper has a sound financial future. Focusing on attracting and maintaining such development will enable Prosper to meet the essential needs of its future residents.



# INFRASTRUCTURE ASSESSMENT

## Infrastructure Assessment

Planning for and providing infrastructure is perhaps one of the most important responsibilities of a municipality. Citizens need to be secure in the knowledge that they can rely on their local government to ensure that there is adequate and safe water supply and wastewater capacity for current populations and that proper plans are developed to provide for future growth. There are numerous technical studies that can be used to analyze these current and future needs for the Town. This 2012 Comprehensive Plan is not intended to take the place of these detailed technical efforts. The purpose of the Comprehensive Plan is to determine whether the Town has made or plans on undertaking these efforts. This Infrastructure Assessment is intended to provide an overview of Prosper’s infrastructure system and capacity of that system in relation to the current population and the future projected population.

## Previous Planning Efforts

The most recent large scale, in-depth analysis of future water and wastewater needs was completed in 2006 by Freese and Nichols, Inc. (FNI). At that time FNI developed a Water Distribution Master Plan and a Wastewater Collection Master Plan. These studies analyzed growth based on the Future Land Use Plan in place at that time and used typical usage factors for water and wastewater based on historical water usage and wastewater flows in Prosper. The study developed Capital Improvement Plans intended on implementing the recommendations in the technical studies and provided mapping of the proposed improvements. The Water and Wastewater Capital Improvement Plans were updated in 2011 for the Impact Fee Update, also performed by FNI. The recommended improvements outlined in the Impact Fee Study are intended to provide the required capacity and reliability to meet projected water

demands and wastewater flows through Buildout. Due to timing of the Impact Fee Study



and Comprehensive Plan projects, the recommended water and wastewater projects developed in the Impact Fee Study were based on growth rates and Future Land Use Plan developed prior to the 2012 Comprehensive Plan.

## Infrastructure Goals and Objectives

The goal and objectives for infrastructure are shown below:

**Goal: Ensure that existing water, wastewater and storm drainage systems and future plans adequately serve current and future residents and businesses.**

**Objective 1: Investigate any deficiencies in the infrastructure systems.**

**Objective 2: Develop concepts that will address deficiencies of the infrastructure system.**

**Objective 3: Strive for an infrastructure system that will effectively and economically serve existing and projected needs of the community in a safe and efficient manner.**

**Objective 4: Ensure that infrastructure is compatible or expanded to support future development, specifically in key development areas.**

INFRASTRUCTURE ASSESSMENT

**Water System**

**Existing Characteristics**

North Texas Municipal Water District (NTMWD) is a regional water provider with a treatment capacity of 770 million gallons of water per day and serves approximately 1.6 million people. NTMWD currently serves water to the Town of Prosper through a 48” transmission line in the northwest portion of NTMWD’s system. The water from NTMWD is dropped into a 3 million gallon (MG) ground storage tank and re-pumped to serve the Prosper distribution system through a 30” water line. The NTMWD delivery point into the Town of Prosper is in the southeast portion of the Town, and this is the only existing treated water delivery point. The Town relies on NTMWD for all treated water and does not utilize existing wells in the system. In addition, there are not emergency water connections with surrounding entities.



**Storage and Usage**

The Town had an average daily flow of 1.9 million gallons per day in 2010, and Town records show 3,230 active water accounts. This number includes both normal domestic connections and irrigation-only connections. The Texas Commission on Environmental Quality (TCEQ) requires 200 gallons per connection of storage of which 100 gallons must be elevated storage. The Town currently has a 2 million gallon elevated storage tank near Preston Road and First Street and 3 million gallons in ground storage at the NTMWD delivery point. Since the limiting factor in this case is the elevated storage capacity, based on the current elevated capacity of 2 million gallons, the number of connections that would be allowed by TCEQ is 20,000. FNI developed criteria in the 2011 Impact Fee Update for sizing of storage and pumping capacity for the Town. These criteria are more stringent than TCEQ requirements and take into consideration many additional factors including operational flexibility, fire protection, system redundancy, and energy efficiency. The design criteria recommended to size ground storage tank

capacity is to provide adequate storage volume to meet 8 hours of maximum day demand. The design criteria recommended for elevated storage capacity is twice the required volume needed to meet 35% of the peak hour demand for a duration of 3 hours. The design criteria recommended for pump station capacity is providing a firm pumping capacity to meet 65% of the peak hour demand. The firm pumping capacity is defined as the total available pumping capacity with the largest pump out of service to each pressure plane.



## INFRASTRUCTURE ASSESSMENT

### Considerations for the Future

Generally speaking, the planning that has taken place regarding water infrastructure has served the Town very well. The population and land use data in the 2011 Impact Fee Update was used to develop future water demands. Conservation measures in place for the future were taken into account in determining the projected water usage. The current Water System Capital Improvement Plan was completed in 2011 for the Impact Fee Update, and recommended improvements to serve the Town through Buildout are shown on Plate 4. Since that time, and as a result of this Plan, population growth has changed and land uses have changed. In order to remain relevant, the Capital Improvements Plan should be either revised or updated as plans are developed in order to ensure consistency.

### Water Short Term Recommendations:

1. Yearly monitoring of growth to guide implementation of water system projects.
2. Evaluate whether the Lower Pressure Plane should be served through a dedicated Lower Pressure Plane Pump Station at the existing NTMWD delivery point site or through a new Upper Trinity Regional Water District (UTRWD) delivery point on the west side of the Town. This should be determined prior to design of the proposed 42" Lower Pressure Plane line and Pump Station, and this project is recommended to be under design in 2016 based on growth rates and land use assumptions in the 2011 Impact Fee Study.

### Water Long Term Recommendations:

1. Coordinate with NTMWD to receive additional water supply capacity to meet projected water demands.
2. Continue implementation of the projects indicated in the 2011 Impact Fee Update.
3. Update Water Master Plan and Impact Fee CIP at least every 5 years or more frequently if land use assumptions or service provider assumptions change significantly.
4. Investigate an emergency interconnect with an adjacent entity to increase water system reliability and redundancy.

# EXISTING COMPREHENSIVE PLAN

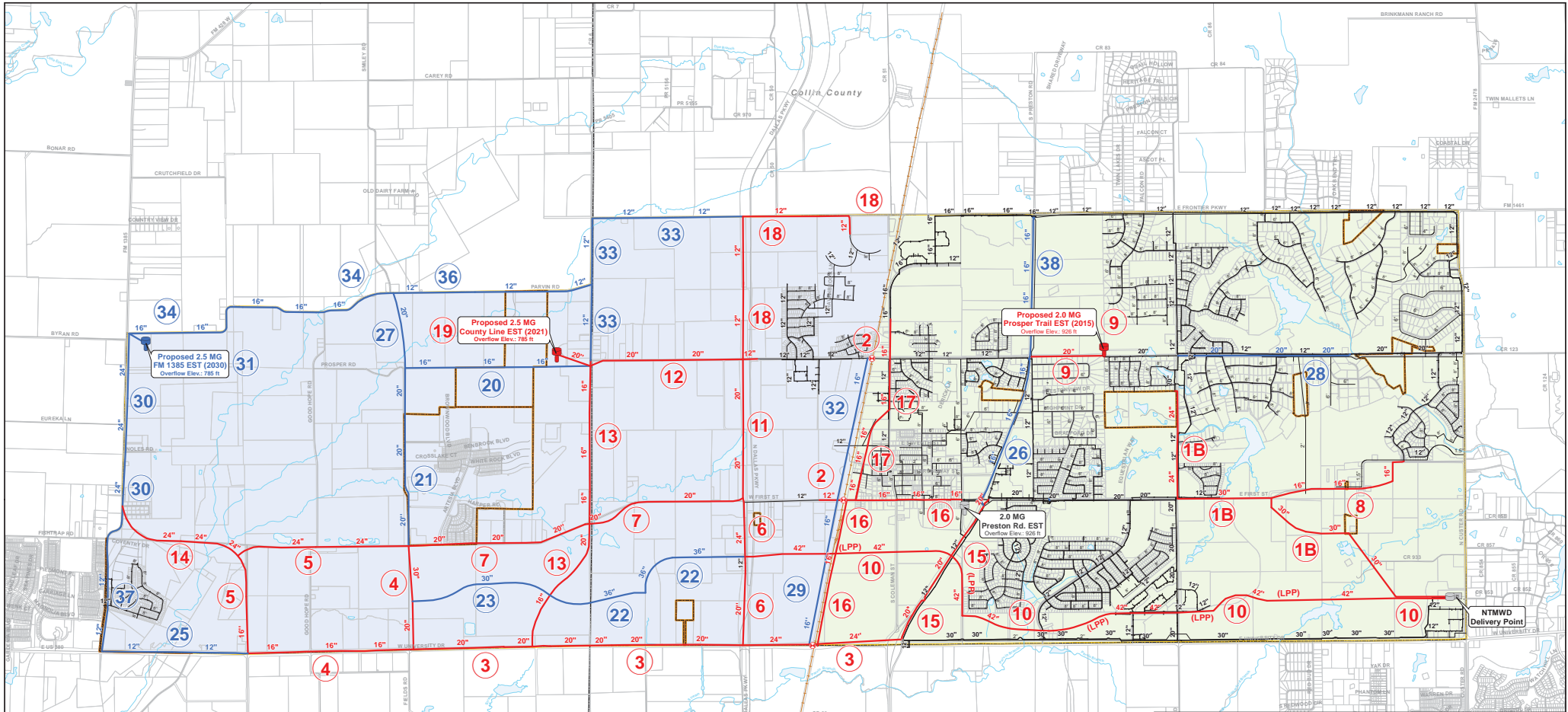


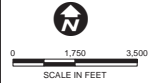
FIGURE 3-6  
TOWN OF PROSPER  
BUILDOUT WATER SYSTEM  
CAPITAL IMPROVEMENT PROJECTS

**LEGEND**

- Pressure Reducing Valve
- 2011 - 2021 Elevated Storage Tank
- 2022 - Buildout Elevated Storage Tank
- Existing Elevated Storage Tank
- Existing Ground Storage Tank
- Existing Pump Station
- 2011 - 2021 Water Line Improvement
- 2022 - Buildout Water Line Improvement
- 8" and Smaller Water Lines
- 10" and Larger Water Lines
- Road
- Railroad
- Stream
- Lake
- Parcel
- Town Limit
- ETJ Boundary
- County Boundary
- Lower Pressure Plane
- Upper Pressure Plane

**NTMWD Delivery Point Improvements**

- 1A** Expand UPP PS to 20 MGD and Add 5.0 MG GST (2013)
- 10** Construct 10 MGD LPP Pump Station (2018)
- 24** Expand UPP PS to 30 MGD, Add 5.0 MG GST and Expand LPP to 25 MGD (2024)
- 35** Expand LPP PS to 40 MGD and Add 5.0 MG GST (2034)



## INFRASTRUCTURE ASSESSMENT

### Wastewater System

#### Existing Characteristics

The Town of Prosper is currently served by the NTMWD for wastewater treatment. The treatment plant serving the Town is the Wilson Creek Regional Treatment Plant located near Fairview on Lake Lavon. This plant also serves Anna, Melissa, Princeton, McKinney, Allen, Fairview, Frisco, Lucas, Richardson, Parker, and Plano. The current average day capacity of the Wilson Creek WWTP is 48 MGD, with a build-out capacity of 112 MGD. The NTMWD interceptor runs through the northeast corner of the Town of Prosper.

Due to the terrain within the Town, lift stations are required to make the collection system effective and send all wastewater flow to the NTMWD system. The Town currently has 6 large lift stations in operation for this purpose. The Gentle Creek and Steeple Chase lift stations have already been abandoned, and the remainder of the lift stations with the exception of La Cima will be abandoned in the future with proposed projects.

#### Considerations for the Future

Generally speaking, the planning that has taken place regarding wastewater infrastructure has served the Town very well. The Town signed an agreement with Upper Trinity Regional Water District (UTRWD) in December 2007 to send a majority of future wastewater flows to an existing UTRWD interceptor in the west side of Prosper. This was a very strategic move for the Town as it will allow the Town to abandon a majority of existing lift stations and significantly reduce capital and operations and maintenance (O&M) costs by removing lift stations and force mains from the Wastewater Capital Improvement Plan. The current Wastewater System Capital Improvement Plan was completed in 2011 for the Impact Fee Update, and recommended improvements to serve the Town through Buildout are shown on Plate 5. As soon as the interceptor from the abandoned WWTP to the UTRWD interceptor is completed,

the lift station at the WWTP and 12" force main will no longer be utilized to send Subbasin 2 and 4 wastewater flows to the NTMWD system. The long term plan is to continue to send wastewater flows in Subbasins 5 and 6 to the NTMWD system, and wastewater flows in Subbasins 1, 2, 3, and 4 will be sent to the UTRWD system.

Since development of the Capital Improvement Plan for the Impact Fee Update, and as a result of this Plan, population growth has changed and land uses have changed. In order to remain relevant, the Capital Improvements Plan should be either revised or updated as plans are developed in order to ensure consistency.

#### Wastewater Short Term Recommendations:

1. Yearly monitoring of growth to guide implementation of wastewater system projects.
2. Continue to eliminate existing lift stations to reduce O&M costs.

#### Wastewater Long Term Recommendations:

1. Future acquisition of additional wastewater treatment capacity from NTMWD and UTRWD.
2. Continue implementation of the projects indicated in the 2011 Impact Fee Update.
3. Update Wastewater Master Plan and Impact Fee CIP at least every 5 years or more frequently if land use assumptions or service provider assumptions change significantly.
4. Consider conversion of existing services on septic systems to the Prosper wastewater system.



# EXISTING COMPREHENSIVE PLAN

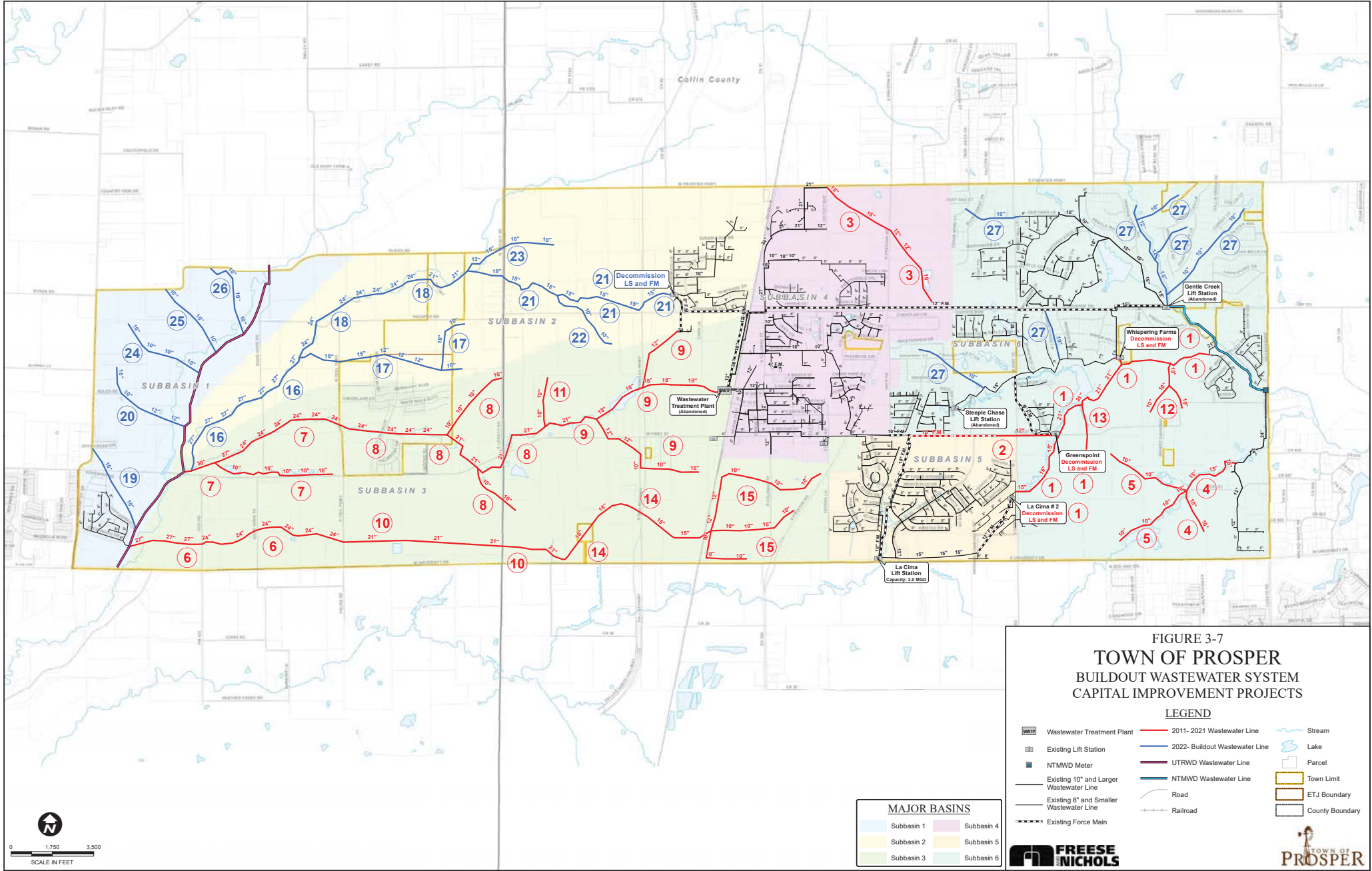


FIGURE 3-7  
TOWN OF PROSPER  
BUILDOUT WASTEWATER SYSTEM  
CAPITAL IMPROVEMENT PROJECTS

- LEGEND**
- Wastewater Treatment Plant
  - Existing Lift Station
  - NTMWD Meter
  - Existing 10" and Larger Wastewater Line
  - Existing 8" and Smaller Wastewater Line
  - Existing Force Main
  - 2011-2021 Wastewater Line
  - 2022-Buildout Wastewater Line
  - UTRWd Wastewater Line
  - NTMWD Wastewater Line
  - Road
  - Railroad
  - Stream
  - Lake
  - Parcel
  - Town Limit
  - ETJ Boundary
  - County Boundary

| MAJOR BASINS |            |
|--------------|------------|
| Subbasin 1   | Subbasin 4 |
| Subbasin 2   | Subbasin 5 |
| Subbasin 3   | Subbasin 6 |



## INFRASTRUCTURE ASSESSMENT

### Storm Drain System

Freese and Nichols, Inc. assessed the Town's existing drainage utility system needs and identified recommended updates to the existing drainage utility system fee in 2010 as part of the Drainage Utility System Fee Development Report. The assessment included a visual inspection, as well as discussions with Town Staff, of several areas within the Town that have flooding or potential flooding issues. The study identified and prioritized storm drain infrastructure facilities across the Town that are in need of replacement or upsizing to anticipate increases in flows or to correct current drainage problems. Eight major maintenance and capital projects and seven routine maintenance projects were identified. All solutions presented in the study were conceptual in nature and only used to provide a range of estimated construction costs for comparison purposes. Each capital project location will require a detailed study by a licensed engineer that should consider other alternatives before a final solution can be determined. As the Town continues to develop, a Comprehensive Drainage Utility System Master Plan should be completed to further identify and refine storm water management projects.

The Town is currently not subject to new federal storm water quality regulations (Phase II MS4) that would require the Town to further protect and enhance water quality in creeks and lakes through the development of a storm water quality management program. However, the Texas Commission on Environmental Quality (TCEQ) will issue the next Phase II MS4 permit in August 2012, and the determination of regulated communities would be based upon each community's 2010 U.S. Census population. Based on population growth in and around Prosper over the last decade, it is likely that the Town will become subject to the Phase II MS4 requirements.

As an operator of a small municipal separate storm sewer system (MS4), the Town would be

required to develop a multi-faceted program to protect storm water quality before it enters creeks, rivers, and lakes. The program includes a number of measures to protect storm water quality, such as the following:

- Drainage utility system maintenance;
- Structural and non-structural water quality protection measures;
- Drainage utility system mapping and inspections;
- Public education, outreach and involvement;
- Town ordinances regulating construction activity, illicit discharges, and post-construction runoff; and
- Town staff training and operations improvements.



# INFRASTRUCTURE ASSESSMENT

### Considerations for the Future

As development continues within the Town of Prosper, several actions should be taken to handle drainage and storm water management issues.

#### Storm Water Short Term Recommendations:

1. Consider establishing a program to conduct routine inspections and operations and maintenance (O&M) activities throughout the drainage utility system to minimize flooding potential, reduce creek erosion, and protect storm water quality.
2. Yearly monitoring of capital project needs to guide implementation of storm drain system projects outlined in the 2010 Drainage Utility System Fee Development Report.

#### Storm Water Long Term Recommendations:

1. Develop a Comprehensive Drainage Utility System Master Plan. This plan will provide an in-depth analysis of current drainage facilities and project the need for future facilities (detention, culverts, channel enhancements, etc.) based on the adopted Future Land Use Plan. The drainage utility system master plan can be a powerful tool that helps define the direction of future

development, the protection of natural resources, and the integration of public spaces such as parks in the Town.

2. Review current subdivision standards to ensure that new developments bear responsibility to ensure that these developments do not adversely impact the overall storm water system within the Town.
3. Review the drainage utility system fee rates in several years to consider any changes that the Town might want to incorporate in the drainage utility system fee rate. Potential changes might include increased costs for equipment, additional CIP projects that may be needed, increasing water quality regulatory compliance requirements and others.
4. Continue implementation of projects outlined in the 2010 Drainage Utility System Fee Development Report.
5. Prepare a storm water quality management plan and implement over a 5-year period a storm water quality management program to meet the requirements of the pending 2012 TCEQ Phase II MS4 general permit.



## INFRASTRUCTURE ASSESSMENT

### Implementation Plan

The importance of planning can never be overstated—planning provides for the protection of private property and ensures future development occurs in a coordinated and organized fashion, consistent with the Comprehensive Plan. The future of Prosper will be shaped with the policies and recommendations developed in this 2012 Comprehensive Plan. Based on this Plan, decisions will be made that will influence many aspects of the Town's built and social environments. Prosper has taken an important leadership role in defining its future, with the adoption of this Plan. The Plan will provide a very important tool for Town Staff and civic leaders to use in making sound planning decisions regarding the long-term growth and development of Prosper. The future quality of life in Prosper will be substantially influenced by the manner in which the Plan recommendations are administered and maintained.

Planning for the Town's future should be a continuous process, and this Plan is designed to be a dynamic tool that can be modified and periodically updated to keep it in tune with changing conditions and trends. Changes in Prosper' socioeconomic climate and in development trends that were not anticipated during preparation of the Plan will occur from time to time, and therefore, subsequent adjustments will be required. Elements of the Town that were treated in terms of a general relationship to the overall area may, in the future, require more specific and detailed attention.

Plan policies and recommendations may be put into effect through adopted development regulations, such as zoning and subdivision, and through capital improvement programs. Many recommendations within the Plan can be implemented through simple refinement of existing Town regulations or processes, while others may require the establishment of new regulations, programs, or processes. This final section of the 2012 Comprehensive Plan describes specific ways in which Prosper can take the recommendations within this plan from vision to reality.

### Proactive and Reactive Implementation

There are two primary methods of Plan implementation: proactive and reactive methods. To successfully implement the Plan and fully realize its benefits, both methods must be used in an effective manner. Both proactive and reactive actions that could be used by Prosper are described within this Implementation Chapter.

#### Examples of proactive methods include:

- Establishing or updating subdivision regulations;
- Establishing or updating zoning regulations; and
- Developing a capital improvements program (CIP), by which the Town expends funds to finance public improvements to meet objectives cited within the Plan.

#### Examples of reactive methods include:

- Approving a rezoning application submitted by a property owner consistent with the Comprehensive Plan;
- Site plan review; and
- Subdivision review.

## IMPLEMENTATION PLAN

### Roles of the Comprehensive Plan

#### Guide for Daily Decision-Making

The current physical layout of the Town is a product of previous efforts put forth by many diverse individuals and groups. In the future, each new development that takes place, whether a subdivision that is platted, a home that is built, or a new school, church or shopping center that is constructed, represents an addition to Prosper' physical form. The composite of all such efforts and facilities creates the Town as it is seen and experienced by its citizens and visitors. If planning is to be effective, it must guide each and every individual development decision. The Town, in its daily decisions pertaining to whether to surface a street, to approve a residential plat, to amend a zoning ordinance provision, to enforce the building codes, or to construct a new utility line, should always refer to the basic proposals outlined within the Comprehensive Plan. The private builder or investor, likewise, should recognize the broad concepts and policies of the Plan so that their efforts become part of a meaningful whole in planning the Town.

#### Flexible and Alterable Guide

This 2012 Comprehensive Plan is intended to be a dynamic planning document for Prosper – one that responds to changing needs and conditions. Plan amendments should not be made without thorough analysis of immediate needs, as well as consideration for long-term effects of proposed amendments. The Town Council and other Prosper officials should consider each proposed amendment carefully to determine whether it is consistent with the Plan's goals and policies, and whether it will be beneficial for the long-term health and vitality of Prosper.

#### Annual Review

At one-year intervals, a periodic review of the Plan with respect to current conditions and trends should be performed. Such on-going, scheduled evaluations will provide a basis for adjusting capital expenditures and priorities, and will reveal changes and additions that should be made to the Plan in order to keep it current and applicable long-term. It would be appropriate to devote one annual meeting of the Planning and Zoning Commission to reviewing the status and continued applicability of the plan in light of current conditions, and to prepare a report on these findings to the Town Council. Those items that appear to need specific attention should be examined in more detail, and changes and/or additions should be made accordingly. By such periodic evaluations, the Plan will remain functional, and will continue to give civic leaders effective guidance in decision-making. Periodic reviews of the plan should include consideration of the following:

- The Town's progress in implementing the plan;
- Changes in conditions that form the basis of the plan;
- Community support for the plan's goals, objectives & policies; and
- Changes in State laws.

The full benefits of the Plan for Prosper can only be realized by maintaining it as a vital, up-to-date document. As changes occur and new issues within the Town become apparent, the Plan should be revised rather than ignored. By such action, the Plan will remain current and effective in meeting the Town's decision-making needs.



## IMPLEMENTATION PLAN

### **Complete Review and Update with Public Participation**

In addition to periodic annual reviews, the Comprehensive Plan should undergo a complete, more thorough review and update every 5 or 10 years. The review and updating process should begin with the establishment of a Steering Committee, similar to the one that was appointed to assist in the preparation of this Plan. If possible, this committee or the Planning and Zoning Commission should be in charge of periodic review of the plan. Specific input on major changes should be sought from various groups, including property owners, neighborhood groups, civic leaders and developers and business owners.

### **Regulatory Mechanisms**

The usual processes for reviewing and processing zoning amendments, development plans, and subdivision plans provide significant opportunities for implementing the Plan. Each zoning, development and subdivision decision should be evaluated and weighed against applicable proposals contained within the Plan. If decisions are made that are inconsistent with Plan recommendations, then they should include actions to modify or amend the Plan accordingly in order to ensure consistency and fairness in future decision-making. Amending the Subdivision Ordinance and Zoning Ordinance represent two major proactive measures that the Town can take to implement 2012 Comprehensive Plan recommendations.

### **Zoning Ordinance**

Zoning is perhaps the single most powerful tool for implementing Plan recommendations. The Town's Zoning Ordinance should be updated with the recommendations contained within the chapters of this 2012 Comprehensive Plan. All zoning and land use changes should be made within the context of existing land uses, future land uses, and planned infrastructure, including roadways, water and wastewater.

### *Zoning Text Amendments*

Consideration should be given to updating areas of the zoning ordinance that may allow ideas, principles or design standards identified within this Comprehensive Plan to be more easily achieved. Their implementation will not only improve future development and interaction between land uses, but will also improve Prosper's overall image and livability. Such changes may involve landscaping setbacks, non-residential building design, and additional tree requirements, to name a few. These recommendations should be itemized and prioritized, and should be incorporated into the Zoning Ordinance accordingly.

### *Zoning Map Amendments*

State law gives power to cities to regulate the use of land, but regulations should be based on a plan. Therefore, Prosper's Zoning Map should be as consistent as possible with the Comprehensive Plan, specifically the Future Land Use Plan. It is not reasonable, however, to recommend that the Town make large-scale changes in its zoning map changes immediately. It is therefore recommended that the Town prioritize areas where a change in current zoning is needed in the short-term and that efforts be concentrated on making such changes. In the long-term, consistent zoning policy in conformance with the Future Land Use Plan will achieve the Town's preferred land use pattern over time.

### **Subdivision Ordinance**

The act of subdividing land to create building sites has a major effect on the overall design and image of Prosper. Much of the basic physical form of the Town is currently created by the layout of streets, easements, and lots. In the future, the basic physical form of Prosper will be further affected by such action. Requirements for adequate public facilities are essential to ensure the Town's orderly and

## IMPLEMENTATION PLAN

efficient growth. Plan recommendations, such as cross-access easements, should be incorporated within the Subdivision Ordinance.

### Implementation Goals and Objectives

Implementation is one of the most important, yet most difficult, aspects of the comprehensive planning process. Without viable, realistic strategies for implementation, the recommendations contained within this 2012 Comprehensive Plan will be difficult to realize.

The following section contains the original six community goals established within the Community Vision chapter of this comprehensive plan. Under each of the six community goals, more specific objectives are included to guide plan implementation. The objectives listed are derived from recommendations contained within the comprehensive plan document as well as ideas heard from the CPAC and general public.

#### **Goal 1. Provide a variety of land uses, in accordance with the vision of Prosper Residents, which diversify the tax base and enable all types of people to live, work, shop, eat and relax in Prosper.**

- Objective 1.1: Provide a range of housing in Prosper, which takes into consideration, among other things, data relating to income, education levels and ethnicity.
- Objective 1.2: Maximize development along the Dallas North Tollway by providing opportunities for Class A office space (office space defined by high-quality furnishings, state-of-the-art facilities and excellent accessibility), corporate campus development and mixed-use retail/residential development.
- Objective 1.3: Create specific landscaping and thematic design guidelines for development along the Dallas North Tollway.
- Objective 1.4: Promote larger-scale master planned developments over small-scale individual developments along the Dallas North Tollway by discouraging individual developments under 5 acres in size.
- Objective 1.5: Maximize development opportunity along Highway 380 by providing nodal commercial and retail activity. Retail, commercial, service and big-box uses should be focused primarily around major intersections with mid-block sections being utilized for medium density residential uses and office space. Continuous strip development should be avoided.
- Objective 1.6: Utilize the Town Center for a regional draw, bringing in patrons from outside of Prosper.
- Objective 1.7: Ensure that the core of the Town Center contains a higher degree of urban design with buildings situated up to the building line, wide sidewalks, street trees and pedestrian amenities. Preferred examples include the Shops at Legacy and the Shops at Watters Creek.
- Objective 1.8: Include public space within the Town Center to serve as a focal point for the Town Center and to provide space for community events and festivals.
- Objective 1.9: Encourage the use of structured parking within the Town Center and Dallas North Tollway Districts to minimize the negative impact of large scale parking lots. Require structured parking to be strategically located to minimize visibility from the public view.
- Objective 1.10: Include public facilities, such as a new Town Hall, Community Services facility or Library, within the Town Center or Old Town districts.



## IMPLEMENTATION PLAN

- Objective 1.11: Provide a network of connections, both vehicular and pedestrian, that allow movement and access to various portions of the Town Center and adjacent neighborhoods and districts.
- Objective 1.12: Preserve the integrity of Old Town and encourage complementary and compatible redevelopment and infill development including new single family residences containing a farm/ranch theme, residential to office conversions and “main street” retail with studio apartments along the western end of Broadway.
- Objective 1.13: Plant trees within the parkway along roads in Old Town to establish a mature tree canopy thereby contributing to the historic theme of the area.
- Objective 1.14: Utilize the Old Town Roadway Plan to prioritize street improvements within Old Town and utilize street improvements to facilitate new development.
- Objective 1.15: Utilize the BNSF railroad to create a high-tech, clean industry Business Park.

### **Goal 2. Maintain and enhance the high quality of life and small-town feel currently available and expected by Prosper residents.**

- Objective 2.1: Encourage the implementation of the Parks Master Plan as development occurs to facilitate the creation of an interconnected park and trails system in Prosper at buildout.
- Objective 2.2: Update the 2004 Facilities Master Plan to ensure that public facilities, such as fire, police and other public services, are coordinated with land use projections in the Future Land Use Plan.
- Objective 2.3: Work with Prosper Independent School District to coordinate future school facilities planning with land use projections in the Future Land Use Plan.
- Objective 2.4: Continue to require developers to dedicate 1 acre of park land for every 35 dwelling units constructed.
- Objective 2.5: Encourage developers to preserve riparian zones and mature tree stands on development sites and utilize such areas for residential park and open space areas.
- Objective 2.6: Preserve existing tree cover, when possible, by creating a tree preservation ordinance and by conducting a natural assets inventory plan.
- Objective 2.7: Encourage the use of rural design characteristics on new roadway construction projects including the use of traditional lighting features, wide setbacks, native plant materials, wildflowers and increased tree coverage.
- Objective 2.8: Utilize cladding and form-lining at culvert crossings to create the impression of a roadway bridge.
- Objective 2.9: Determine if certain roadways within the community can maintain their existing rural context, particularly roadways that may not require widening to meet future demands.
- Objective 2.10: Identify roadways that may be intentionally designed to be more rural in character, potentially containing bioswales and other natural drainage features. Appropriate roadways may include those that traverse residential districts and contain little if any commercial development.
- Objective 2.11: Encourage developers to use native planting materials and rural planting designs within the private setback zone/landscape easement.
- Objective 2.12: Develop and utilize design guidelines that address the use of rural characteristics on development walls, neighborhood entrances and other accessory structures visible from the public right-of-way.



## IMPLEMENTATION PLAN

Objective 2.13: Consistently use rural architectural/design guidelines within neighborhood service retail centers.

Objective 2.14: Consider “dark skies.”

Objective 2.15: Work with the Prosper Historical Society to encourage the preservation of key historic landmarks within Old Town and ensure that new development within Old Town is designed to reflect an early 20<sup>th</sup> century historic theme.

**Goal 3. Protect the quality and integrity of Prosper’s neighborhoods.**

Objective 3.1: Encourage the development of quality housing throughout Prosper that meets the needs of a diversity of housing needs, taking into consideration, among other things, data relating to income, education levels and ethnicity, for the full life-cycle of citizens to include, but not limited to:

- Ensure that there are provisions for meeting the housing type and affordability needs of families with children, single parents with children, young adults just leaving home, young professionals, empty-nesters retirees and the elderly.
- Ensure that there is an adequate supply of workforce housing throughout Prosper for those who work in the service industry in Prosper.
- Ensure that all homes are situated with an appropriate level of positive attributes to maintain desirability, value and reinvestment.

Objective 3.2: Require the use of long-lasting/durable building materials, such as stone or brick, and encourage the use of high pitched roofs to enhance the overall housing appearance.

Objective 3.3: Require the formation of neighborhood associations (HOAs) with all new developments to maintain common property, provide a sense of identity and encourage long-term private property maintenance.

Objective 3.4: Encourage developers to include neighborhood amenities such as parks, open spaces, neighborhood pools and other such features which enhance the overall desirability of individual neighborhoods.

Objective 3.5: Encourage developers to arrange lots in a manner that maximizes residential access to open space when natural areas are present.

Objective 3.6: Work with developers to ensure that the majority of lot sizes within a given development are over 12,500 square feet in size.

Objective 3.7: Low density residential areas should not exceed a gross density of 1.6 dwelling units per acre.

Objective 3.8: Medium density residential areas should not exceed a gross density of 2.5 dwelling units per acre.

Objective 3.9: Ensure that single family residential neighborhoods are protected from more intensive areas of development, such as development located within the Dallas North Tollway, Town Center, Business Park and Highway 380 districts, by using screening and buffering techniques. Screening may include enhanced landscaping, brick or masonry screening walls and landscaping berms, among others.

Objective 3.10: Encourage the use of floodways as a natural buffer between low and high intensity areas.



## IMPLEMENTATION PLAN

Objective 3.11: Utilize the trail network identified within the Park Plan to provide access to the network of community parks and to enhance connectivity between individual neighborhoods.

Objective 3.12: Ensure that neighborhoods have at least two roadway access points and encourage roadway connections between neighborhoods to provide more direct and interconnected forms of vehicular and pedestrian travel.

### **Goal 4. Require high-quality and visually attractive architectural characteristics in both residential and non-residential developments.**

Objective 4.1: Zone key roadway intersections for retail while utilizing remaining land adjacent to major roadways for residential to avoid stripped out arterial roadways

Objective 4.2: Avoid four-corner retail zoning to avoid an oversupply of retail zoning.

Objective 4.3: Limit driveways within 150 feet of major intersections to encourage larger scale, master planned retail centers over individual retail establishments.

Objective 4.4: Encourage the creation of nodal, master planned retail centers over strip center developments to encourage long term viability and investment in retail centers. No additional unanchored strip retail is recommended.

Objective 4.5: Mandate the use of high-quality building materials, such as brick and stone, to protect the long-term durability of non-residential construction. Require all non-residential developments to be 100% masonry and prohibit metal building construction.

Objective 4.6: Create a menu-choice matrix for non-residential developments, requiring new developments to choose from a palate of predetermined colors and styles.

Objective 4.7: Require architectural enhancements, such as pitched roofs, awnings, enhanced canopies and building articulation to create visually attractive developments.

Objective 4.8: Require all parking rows to contain ending landscape islands.

Objective 4.9: Encourage the planting of trees within parking lots so that 25% of the parking lot is covered by a shade canopy at tree maturity.

Objective 4.10: Encourage large parking lots to contain a shaded pedestrian way.

Objective 4.11: Incentivize the use of dispersed landscaped stormwater areas within parking lots rather than large detention ponds. Allow stormwater best management practices (BMPs) to count towards a portion of landscaping requirements.

Objective 4.12: Encourage the use of thematic, decorative and enhanced lighting features within the public right-of-way, residential areas (when necessary) and retail/commercial areas.

### **Goal 5. Develop a quality and functional transportation network that enhances the Town's image and provides safe and convenient residential mobility.**

Objective 5.1: Utilize the updated Thoroughfare Plan Map as future roadway improvements are designed and constructed.

Objective 5.2: Ensure that Prosper's thoroughfare network is coordinated with neighboring communities and work to negotiate and resolve any conflicting issues.

Objective 5.3: Utilize the functional street classification system, a hierarchical network of roadway classifications, to create a network of major and minor thoroughfares, collector and local streets.

Objective 5.4: Utilize shared access and cross-access easements to provide connectivity between adjacent non-residential uses, limiting the number of driveways along major corridors and allowing for more continuous landscaping.

IMPLEMENTATION PLAN

- Objective 5.5: Connect various portions of the community, including neighborhoods, the Town Center, Old Town, public facilities and parks, with a system of pedestrian and bicyclist trails to provide interconnectivity and create a system of non-motorized linkages within the community.
- Objective 5.6: Ensure that sufficient right-of-way is acquired and dedicated during platting or roadway design to accommodate ultimate roadway configurations and designated trails.
- Objective 5.7: Utilize Context Sensitive Solutions to design roadways within the context of their adjacent development.
- Objective 5.8: Utilize the Old Town District Roadway Plan as a guide during roadway design within the Old Town area.
- Objective 5.9: Create backage roads along the Dallas North Tollway to support development connectivity and accessibility.
- Objective 5.10: Upgrade Hays Road to a commercial collector to support and provide back access to future commercial and retail development along Preston Road.
- Objective 5.11: Extend and realign South Coleman Road to intersect with Richland Boulevard. at Preston Road providing connectivity between Old Town, the Town Center and development along Highway 380.
- Objective 5.12: Include access roads along Highway 380, between the Lovers Lane Loop, in order to provide access to development along the grade-separated segment of Highway 380.
- Objective 5.13: Create a streetscape design program that intentionally characterizes individual roadways based upon anticipated forms of development.
- Objective 5.14: Investigate amending the Town ordinances to allow for ornamental walls and fences and other types of materials, such as split iron/wood. Identify key corridors where standards would be applicable in order to create greater corridor consistency.
- Objective 5.15: Consider wider setbacks along Preston Road with enhanced landscaping to maintain a more rural feel and to create a larger barrier between Preston Road and adjacent neighborhoods.
- Objective 5.16: Monitor regional rail initiatives for changes or updates to the Frisco Commuter Rail Line, particularly how such changes impact Prosper.

**Goal 6. Ensure that water, wastewater and stormwater infrastructure is able to meet future growth demands.**

- Objective 6.1: Investigate any deficiencies in the infrastructure systems.
- Objective 6.2: Develop concepts that will address deficiencies of the infrastructure systems.
- Objective 6.3: Strive for an infrastructure system that will effectively and economically serve existing and projected needs of the community in a safe and efficient manner.
- Objective 6.4: Ensure that infrastructure is comparable or expanded to support future development, specifically in key development areas.



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# Prosper Comprehensive Plan

Town of Prosper, Texas

Adopted August 14, 2012

Ordinance No. 12-21

## Acknowledgements



### **TOWN COUNCIL MEMBERS**

Ray Smith, Mayor  
 Dave Benefield, Place 1  
 Kenneth Dugger, Place 2, Mayor Pro-Tem  
 Curry Vogelsang Jr., Place 3  
 Meigs Miller, Place 4  
 Danny Wilson, Place 5  
 Jason Dixon, Place 6

### **PLANNING & ZONING COMMISSION MEMBERS**

Mark DeMattia, Chair  
 Mike McClung, Vice Chair  
 Chris Keith, Secretary  
 Bruce Carlin  
 Jim Cox  
 Bill Senkel  
 Rick Turner

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**Amendments to the 2012 Comprehensive Plan**

| Ordinance Adoption Date | Ordinance Number | Description of Amendment   |
|-------------------------|------------------|--|
| June 24, 2014           | 14-37            | Amend the Future Land Use Plan, Plate 2, by changing “Low Density Residential” to “Retail & Neighborhood Services” at the northeast corner of Preston Road and Prosper Trail.  |
| April 4, 2015           | 15-19            | Amend the Future Land Use Plan, Plate 3, by changing “Old Town Core - Office” to “Old Town Core – Main Street Retail” at the northeast corner of First Street and Main Street.   |
| October 13, 2015        | 15-63            | Amend the Future Land Use Plan, Plate 2, by changing “Medium Density Residential” to “Tollway District” at the northwest corner of Prairie Drive and Prosper Trail.  |
| May 10, 2016            | 16-30            | Amend the Future Land Use Plan, Plate 2, by changing “Low Density Residential” to “Medium Density Residential” on the west side of Coit Road, 2,300± feet north of First Street.   |
| November 8, 2016        | 16-72            | Amend the Future Land Use Plan, Plate 4, by realigning a north-south segment of the Commercial Collector located between Dallas Parkway and the BNSF railroad, from Prosper Trail to First Street, to align with existing Cook Lane, and to provide an east-west Commercial Collector segment connecting to Dallas Parkway |
| November 8, 2016        | 16-73            | Amend the Future Land Use Plan, Plate 3, by changing “Old Town Core – Green Space” to “Old Town Core – Public” at the northeast corner of Second Street and Main Street.   |
| October 9, 2018         | 18-79            | Amend the Transportation Section to provide for additional transportation cross sections, for the segment of Coit Road, between Prosper Trail and Frontier Parkway.  |
| May 14, 2019            | 19-28            | Amend the Future Land Use Plan, Plate 2, by changing “Medium Density Residential” to “Retail & Neighborhood Services” on the north side of Fishtrap Road, west of Legacy Drive.  |
| June 25, 2019           | 19-42            | Amend the Future Land Use Plan, Plate 3, by changing “Old Town-Single Family” to “Old Town-Office” on the east side of Coleman Street, between Second Street and north of Third Street.  |
| November 26, 2019       | Staff Amendment  | Administrative updates to the Thoroughfare Plan, reflecting existing roadway conditions, right-of-way dedication, and/or easement acquisition.   |
| February 25, 2020       | 2020-13          | Amend the Future Land Use Plan, Plate 2, by changing “Low Density Residential” to “Tollway District”, on the north side of Prosper Trail, west of Shawnee Trail.   |
| May 2020                | 2020-57          | Amend the Thoroughfare Plan to designate anticipated roadway overpasses on US 380, on First Street and the BNSF railroad, and to reclassify US 380 as a limited Access Roadway/Freeway.  |

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## EXECUTIVE SUMMARY

### Executive Summary

Prosper's 2012 Comprehensive Plan is a plan to preserve the past, realize the potential of the present, and guide the future of the Town. It is a coordinated effort of citizens, decision makers, Town staff, and other stakeholders.

The Plan analyzes the issues presented by the current conditions to develop a vision for the future of Prosper and designs the pathway to achieve that desired future. As we have seen in the last decade, growth in Prosper is inevitable. This Plan is meant to help preserve the Town's history, culture and resources, as well as manage growth sensibly and responsibly. This Plan is intended to be a dynamic, flexible and adaptable guide to help decision-makers, citizens, Town staff, developers and business owners shape Prosper's future on a continual, proactive basis.

This planning document forms the basis for policy decisions. Policy-makers and Town staff will use this document as a guide only while reviewing development projects, Town budget, prioritizing capital improvement projects and drafting ordinances to direct growth that leads to the vision identified in this document. For citizens and potential developers, this plan can be used as a guide to:

- Compare development requests or projects with the vision and strategies of this plan;
- Choose the right project or realign the request to meet the vision; and
- Review recommendations and implementation ideas to determine an appropriate development model.

### Plan Elements

Prosper's 2012 Comprehensive Plan is structured into seven sections – Planning to Plan, Community Vision, Community Character, Transportation Plan, Economic Analysis, Infrastructure Assessment and Implementation Plan.

### Planning to Plan

This section provides introductory information that should be considered as planning decisions are made. Historical population growth for both Prosper and the region, general household characteristics, existing land use, planning constraints and past planning efforts are identified to begin to set the baseline, or context from which plan recommendations should be made.

### Community Vision

One of the most critical elements of the planning process was identifying the Town's vision. This process included a Comprehensive Plan Advisory Committee (CPAC) made up of 13 Town residents who were ultimately responsible for formulating Plan recommendations. In addition to the CPAC, two Town Hall meetings were conducted on June 27, 2011 and February 13, 2012. Town residents participated in roundtable discussions and other exercises designed to gather feedback on the Town's vision. A Visual Character Survey (VCS) was made available on the Town's website over the duration of a 4 week period. A total of over 440 Town residents participated in the online VCS where residents rated nearly 200 individual images. Key characteristics identified by the public included the desire for maintaining the small-town feel, preserving large-lot homes and providing high-quality retail shopping and restaurants.

### Community Character

The Community Character element examined both land use and livability characteristics. The existing 2004 Comprehensive Plan was used as a basis for land use decisions and necessary and appropriate alterations were made based upon the Community Vision. Overall densities in all residential categories were lowered from the 2004 Plan and lot-size guidelines were provided. Based upon the Future Land Use Plan, the Town could support approximately 69,000 residents and, based upon recent



## EXECUTIVE SUMMARY

growth trends, build out could potentially occur between 2035 and 2040.

Livability guidelines included keeping the more intense development along the Dallas North Tollway and Highway 380 while maintaining Preston Road as an internal corridor respective of adjacent residential neighborhoods. General considerations for neighborhood design were derived with an eye towards providing a wide range of housing in Prosper, taking into consideration, among other things, data relating to income, education levels and ethnicity. A land use and roadway character plan for Old Town was created in order to preserve the historical element of the Town’s founding. Finally, gateway and image enhancement recommendations were provided.

### Transportation Plan

The Town recently completed an update to its Thoroughfare Plan and therefore no major modifications were needed. Minor modifications to the South Coleman Couplet were proposed in addition to creating backage roads for access along the Dallas North Tollway, upgrading Hayes Road and providing frontage roads along Highway 380 between the Lovers Lane Loop. Finally, roadway sections for Old Town were created. Roadway sections are intended to preserve and enhance the historical elements of Old Town.

### Economic Analysis

A general economic analysis was conducted to determine the Town’s retail needs at build-out and to approximate the financial benefits of the Future Land Use Plan in terms of potential sales and property tax contributions. Findings indicate that retail acreage on the Future Land Use Plan can support the Town’s future needs and accounts for additional market capture due to the Towns major regional corridors. Ad Valorem and Sales Tax estimates, combined with current per capita expenditures, indicate that the Future Land Use Plan is diversified and

can potentially permit the Town to provide additional services and amenities in the future.

### Infrastructure Assessment

An evaluation of overall water and wastewater infrastructure within the Town was conducted. Based upon recommendations within the Town’s recently completed water and wastewater master plans, the Town can provide water and wastewater services to accommodate a potential build-out of approximately 69,000 residents.

### Implementation Plan

The Implementation Plan provides objectives related to the six community goals identified within the Community Vision. These objectives are intended to provide direction towards achieving the ultimate vision for the Town. The Implementation Plan also includes an issue prioritization derived from citizen voting during the February 13, 2012 Town Hall meeting. This prioritization is intended guide Town staff and decision-makers as future projects and needs are identified.

### Differences from 2004 Plan

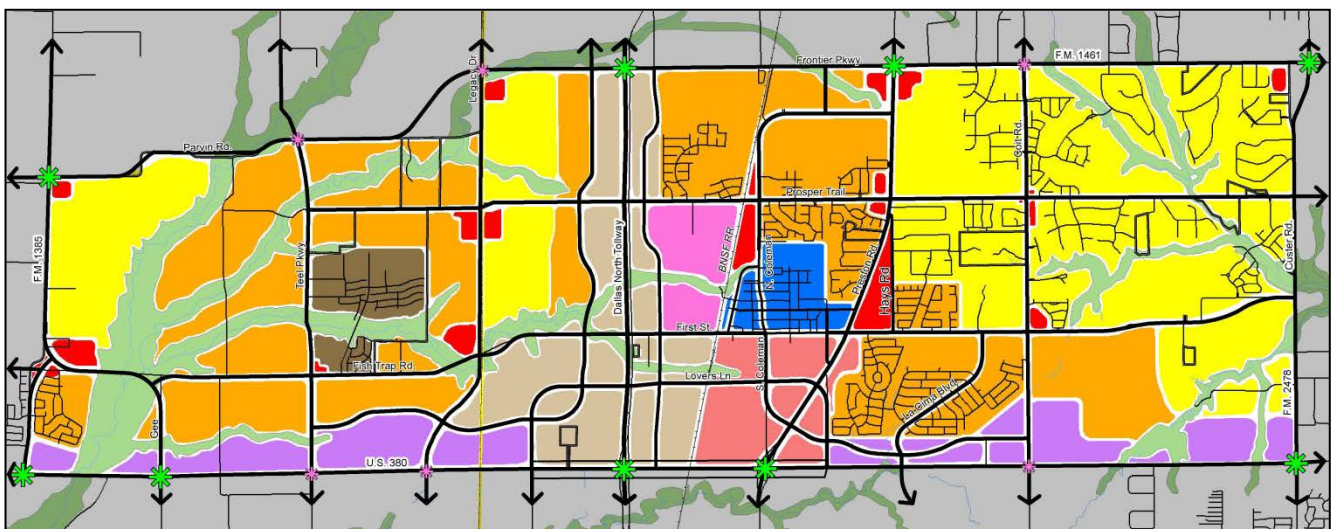
The following are the noticeable changes from the 2004 Comprehensive Plan.

- Vision Statement: the 2004 Plan does not include a Vision Statement.
- Single Family Densities and Lot Size: The 2004 Plan recommends densities of less than 2.0 dwelling units per acre (DUA) in low density residential areas and between 2.1 and 3.5 DUA in medium density residential areas. The 2004 Plan does not give a recommendation on lot sizes. The 2012 Comprehensive Plan recommends less than 1.6 DUA in low density residential area and between 1.6 and 2.5 DUA in medium density residential areas. The 2012 Plan also recommends lots greater than 15,000 square feet in low density areas and between 12,500 and 20,000 square feet in medium density residential areas.

## EXECUTIVE SUMMARY

- **Multifamily:** The 2004 Comprehensive Plan supports 215 acres of multifamily and an estimated 3,425 multifamily units. The 2012 Comprehensive Plan anticipates the Town having approximately 6,248 high density residential units at ultimate capacity.
- **Artesia Municipal Utility District:** The 2004 Plan does not recognize Artesia and recommended medium density residential. The 2012 Plan recognizes Artesia and identifies the area as high density single family.
- **Ultimate Capacity:** The 2004 Plan estimates a build-out population of 89,919 people. The 2012 Plan estimates a build-out population of 69,303 people.
- **Business Park District:** Due to the nature of existing zoning, the 2012 Plan recommends a variety of potential uses, such as light industrial, commercial warehousing, office storage and commercial uses with outside storage.
- **Removal of Commercial Boulevard and Industrial along US 380:** The 2012 Plan shows medium density residential in place of the commercial Boulevard District and the Industrial District has been replaced by the Highway 380 District, which allows for a variety of uses such as big box retail, commercial services, hotels, banks and convenience stores, among others.
- **Retail Space:** The 2004 Plan recommends 1,900,000 square feet of retail space. The 2012 Plan suggests approximately 5.7 million square feet of retail space due to the regional nature of the Town’s commercial corridors.
- **Downtown Prosper:** The 2004 Plan did not provide specific land use or transportation recommendations for Old Town. The 2012 Plan incorporates the 2007 Land Use Plan for Old Town and provides a detailed transportation plan for the area.
- **Passenger Rail:** the 2004 Plan does not mention the possibility of future passenger rail on the BNSF Railroad. Although not desired at this time, the 2012 Plan addresses the possibility of passenger rail in the future but leaves the decision of whether or not passenger rail is appropriate in Prosper to future community leaders.

**2012 Comprehensive Plan Future Land Use Map**



## PLANNING CONTEXT

### What is a Comprehensive Plan?

The comprehensive plan for the Town of Prosper is intended solely as a guide to direct future development decisions made by Town staff, elected officials and all other decision makers. The comprehensive plan tells the story of who the community is and what it wishes to become. This document is intended to serve as a flexible long-range planning tool that guides the growth and physical development of Prosper for ten years, twenty years or an even longer period of time.

The Comprehensive Plan is a long-range statement of public policy. According to Chapter 213 of the Texas Local Government Code, a comprehensive plan may:

- Include but is not limited to provisions on land use, transportation and public facilities;
- Consist of a single plan or a coordinated set of plans organized by subject and geographic area;
- Be used to coordinate and guide the establishment of development regulations.

### Legal Authority

The right for a community to plan is rooted in the Texas Local Government Code. The following are the specific chapters which directly relate to the Town’s ability to plan.

- **Chapter 211:** Allows the governing body of a community to regulate zoning.
- **Chapter 212:** Allows the governing body of a community to regulate subdivision development within the City and Extraterritorial Jurisdiction (ETJ).
- **Chapter 213:** Allows the governing body of a community to create a comprehensive plan for the long-range development of the community and to address a wide range of issues including land use and transportation.



***When putting together a puzzle, it is often helpful to know what the ultimate outcome of the puzzle will be.***



***While you would still be able to assemble the puzzle without the vision, knowing your ultimate vision makes assembling the puzzle much easier. The Comprehensive Plan works in this same fashion...it serves as the vision and makes assembling the various pieces of the development puzzle much easier.***



# PLANNING CONTEXT



## Planning to Plan

The Town of Prosper sits at an exciting and determining point in its history. Decisions made now will have a lasting physical impact on the Town for generations to come. The Town has a significant amount of vacant land, and while many pre-arranged development agreements currently exist, the ultimate objective of this Plan is to set policies and a vision to ultimately guide such developments, ensuring that all development that occurs within Prosper is compatible and fits into the community’s long term vision.



This 2012 Comprehensive Plan (Plan) will serve as the compass, or guide for the long-term growth of the Town. The following Plan will include an examination of the following issues:

- Future Land Use;
- Livability;
- Transportation;
- Economic Analysis; and
- Infrastructure.

Over the past several decades, rapid development has defined the northern side of the Dallas/Fort Worth Metropolitan Area. The DFW Metro Area is now ranked as the 4<sup>th</sup> largest metropolitan area in the nation and is expected to nearly double in size by the year 2050. Growth is not a question, but is inevitable. Community planning, a vision accompanied by guiding policies, will help ensure that Prosper develops in an orderly fashion, considering and respecting, among other things, data relating to income, education levels, ethnicity as well as the physical values of the community. Community planning will protect the quality of life which makes Prosper one of DFW’s most livable communities.

A comprehensive plan, however visionary, must also be rooted in the present. Therefore, prior to examining the above elements, it will be important and helpful to understand where Prosper is today and what planning efforts have been conducted prior to this Plan. This starting point, or baseline analysis, will allow coordination with previous planning efforts. This examination will be helpful to establish an understanding of Prosper’s population growth, housing characteristics, existing land use, physical constraints and past planning efforts.

PLANNING CONTEXT

Regional Relationship



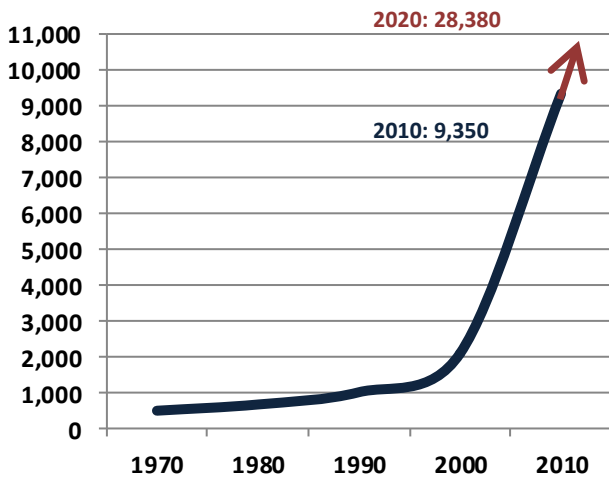
| Location                       | Mileage |
|--------------------------------|---------|
| Downtown Dallas                | 34      |
| Love Field                     | 31      |
| DFW Airport                    | 33      |
| Stonebriar Centre (Frisco)     | 11      |
| Dallas Galleria                | 23      |
| Addison                        | 22      |
| McKinney (downtown)            | 13      |
| Denton                         | 20      |
| US 75 Central Expressway       | 11      |
| Interstate 35                  | 23      |
| SH 121                         | 12      |
| President George Bush Turnpike | 18      |

The Town of Prosper is located at the northern edge of the Dallas/Fort Worth Metropolitan area, in western Collin County and eastern Denton County. The Town’s immediate neighbors include Frisco, McKinney, Celina and Little Elm. The Town of Prosper is currently situated at the northern terminus of the Dallas North Tollway and future expansions will take the Tollway through the Town. The Tollway provides direct access to Downtown Dallas as well as to other major regional highways, such as Highway 121/Sam Rayburn Tollway, President George Bush Turnpike and IH 635/LBJ. Highway 380, traversing the southern border of the Town, provides access to the cities of McKinney and Denton and to Interstate 35 and US 75/Central Expressway.



# PLANNING CONTEXT

## Population Analysis



| Year | Population | Change | Growth  | CAGR* |
|------|------------|--------|---------|-------|
| 1970 | 501        | -      | -       | 8.6%  |
| 1980 | 675        | 174    | 34.7%   |       |
| 1990 | 1,018      | 343    | 50.8%   |       |
| 2000 | 2,097      | 1,079  | 106.0%  |       |
| 2010 | 9,350      | 7,253  | 345.9%  |       |
| 2020 | 28,380     | 19,030 | 203.53% |       |

\*Compound Annual Growth Rate

Source: United States Census, 2020 numbers from Prosper, TX.

### Population Synopsis

From 1970 to 2020, the Town of Prosper experienced relatively fast, but steady, population growth. Since 2000, however, the Town has experienced very rapid and robust growth and reached a population of 28,380 residents according to the NCTCOG Population estimates.

The Compound Annual Growth Rate (CAGR) is a method of analyzing annual average rates of growth. Between 1970 and 2020, Prosper experienced a CAGR of 8.6 percent. Generally speaking, this is a high rate of growth for a community. Since 2000, the CAGR for the community has risen dramatically to 14.7 percent.

Examining historical population growth trends helps to tell the story of how Prosper has grown in the past and may give some insight into how Prosper may grow in the future. There are a number of different variables that must be considered when examining population growth trends, but one of the primary factors is location. Communities in rural areas, not adjacent to a major metropolitan area, typically experience very gradual yet steady growth over time. Many rural communities experience very little growth at all, and in some cases experience negative growth, or decline. Communities near metropolitan areas, however, are characterized differently.

Typically speaking, communities on the fringe of metropolitan areas began as rural, somewhat isolated communities characterized by slow but steady growth. Eventually, the urbanized/developed area encroaches on these rural communities causing a period of very rapid and robust growth until the community reaches its carrying capacity, or build-out. At this point, the growth rapidly slows once again. This pattern has characterized growth within the North Dallas region. Garland, Richardson, Plano, Frisco and McKinney are all examples of this type of growth.

When examining historical growth patterns for the Town of Prosper, we see that Prosper, too, fits into this type of growth pattern. In 1970, the community contained only 500 residents. Between 1970 and 2000, the community added approximately 1600 residents. Since 2000, however, the Town has added over 26,283 new residents, indicating that Prosper has reached a period of rapid and robust growth. Although impossible to predict the future housing market, reasonable assumptions seem to indicate that this period of rapid growth over the past 20 years was not an accident, but is indicative of the rapid northern expansion of the DFW Metropolitan Area. Based on this assumption, it is likely that rapid and robust growth will continue to characterize Prosper for decades to come.

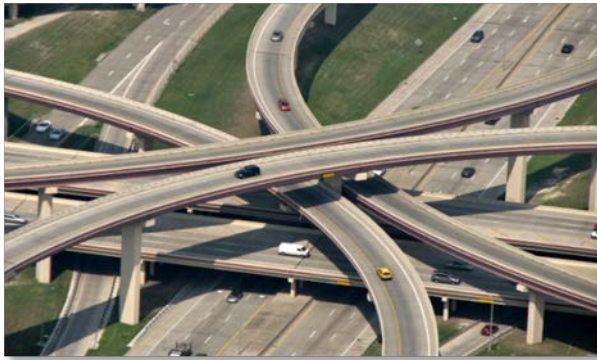


# PLANNING CONTEXT

## Regional Growth

2010 U.S. Census numbers provided insight into just how rapidly the State of Texas, and its metropolitan areas, are growing. The Dallas/Fort Worth Metropolitan area added nearly 1,200,000 people during the 2010-2020 period. Collin County, in particular, has experienced some of the most robust growth over the past several decades. Collin County alone added nearly 200,000 new residents between 2000 and 2010 and nearly 261,000 new residents between 2010 and 2020. Over 1 million residents call Collin County home and Denton County is home to more than 900,000 residents.

Between 1970 and 2000, Little Elm and Frisco experienced the fastest rates of growth. Since 2010, however, Celina and Prosper have experienced the highest compounded growth rates at 15.1% and 13.0% respectively. It is also important to note that Prosper and every one of its neighboring communities experienced higher rates of growth over the past decade than in the prior years. This indicates that growth within Prosper and its neighbors is increasing.



## Population Projections

The Town of Prosper has experienced extremely rapid growth over the past several. External factors seem to indicate that growth years within Collin County will likely continue in the foreseeable future. Likewise, with the extension of the Dallas North Tollway through Prosper, it is very likely that rapid growth within the Town will also continue.

Figure 2: Regional Growth

| Place                | Year   |         |         |         |         |           | CAGR 1970-2010 | CAGR 2010-2020 |
|----------------------|--------|---------|---------|---------|---------|-----------|----------------|----------------|
|                      | 1970   | 1980    | 1990    | 2000    | 2010    | 2020      |                |                |
| <b>Collin County</b> | 66,920 | 144,576 | 264,036 | 491,675 | 782,341 | 1,043,140 | 6.3%           | 3.2%           |
| <b>Celina</b>        | 1,272  | 1,520   | 1,737   | 1,861   | 6,028   | 21,430    | 4.0%           | 15.1%          |
| <b>Frisco</b>        | 1,845  | 3,499   | 6,138   | 33,714  | 116,989 | 193,870   | 10.9%          | 5.8%           |
| <b>Little Elm</b>    | 363    | 926     | 1,255   | 3,646   | 25,898  | 46,200    | 11.3%          | 6.6%           |
| <b>McKinney</b>      | 15,193 | 16,256  | 21,283  | 54,369  | 131,117 | 194,890   | 5.5%           | 4.5%           |
| <b>Prosper</b>       | 501    | 675     | 1,018   | 2,097   | 9,423   | 28,380    | 7.6%           | 13.0%          |

Source: 2010 Census and North Central Texas Council of Government



# PLANNING CONTEXT

**Household Type**

|                              |              |
|------------------------------|--------------|
| <b>Family Households</b>     | <b>85.1%</b> |
| <b>Non-Family Households</b> | <b>14.9%</b> |

Of the total Family Households, 53.1% have children under the age of 18, 75.2% are married couple households, 3% are single parent male households, and 6.9% are single female parent households.

12.1% of the total households in Prosper are householder living alone.

## Housing Characteristics

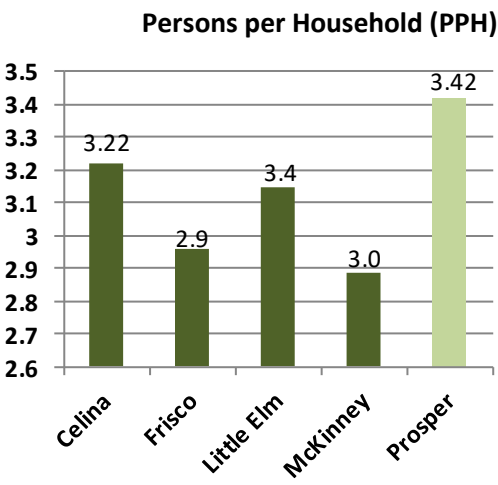
Household type refers to how the people who live within a household are related, if they do not live alone. Generally speaking, Prosper contains a large number of married-couple households and households with children under the age of 18.

Within Prosper, the average household size is 3.42 persons per household (PPH) for single family dwelling units and 1.9 persons per household for multifamily units. The PPH for single family dwelling units is significantly higher than the State average of 2.81 PPH, Frisco at 2.9 PPH, and Celina at 3.22 PPH. Prosper currently has the highest PPH compared to the surrounding municipalities. This data indicates a large number of families call Prosper home.

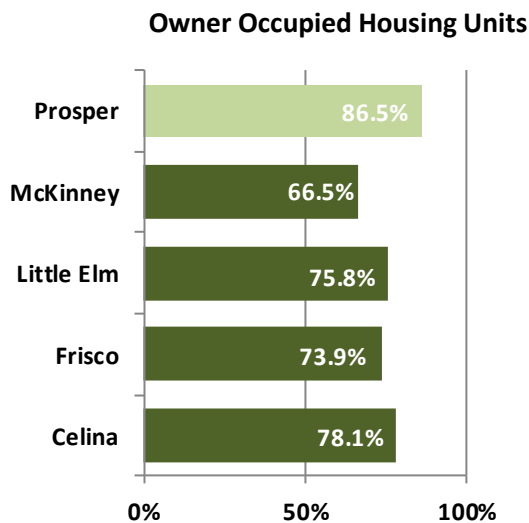
Occupancy rate is an important indicator of the local housing market and housing saturation. A high occupancy rate may indicate an immediate need for additional housing stock to accommodate new population growth. A low occupancy rate may indicate an oversaturation of homes in the housing market. Typically, healthy cities have at least a 90% occupancy rate, something fairly common in the rapidly growing DFW area.

According to North Central Texas Council of Governments, Prosper currently has a 96.4% occupancy rate for single family dwelling units. This is indicative of a healthy housing saturation. NCTCOG also indicated the Town has a 94.6% occupancy rate for multifamily units. This too is a very healthy multifamily saturation rate.

At this time the single family occupancy rate for surrounding municipalities is unavailable however, the owner occupancy rate is available to demonstrate that Prosper is a primarily owner occupied community.



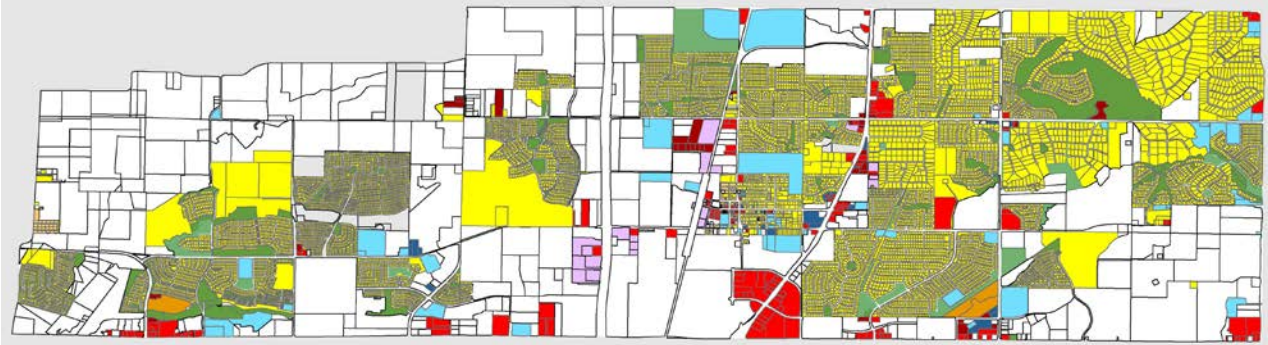
Source: American Community Survey



PLANNING CONTEXT

Existing Land Use

Plate 1: Existing Land Use

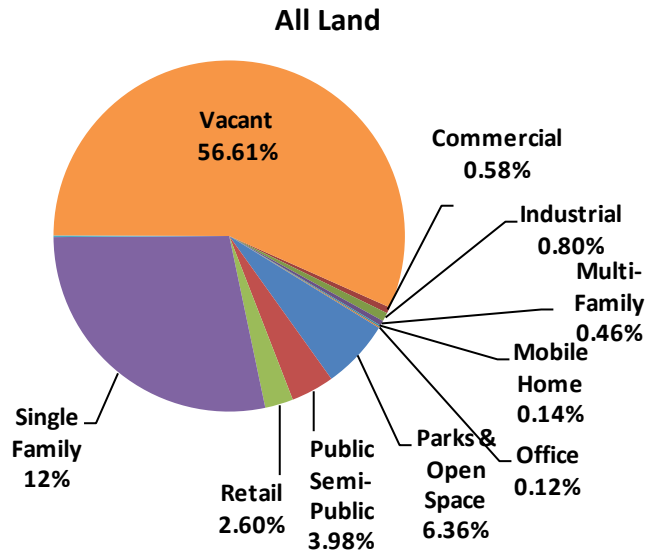


The land uses of the Town of Prosper are predominantly characterized by vacant land. Within the Town boundaries, the majority of land, 57%, is currently vacant. In 2012, 80% of the land was vacant and is the basis of the 2012 recommendations within the Comprehensive Plan. This is a significant portion of land that will drastically impact the overall urban form of the community as it develops. While a majority of undeveloped property in Prosper has already been zoned, there may be opportunities to work with developers to incorporate the identified community vision. Such opportunities should be pursued, particularly as circumstances arise which necessitate zoning adjustments or changes.

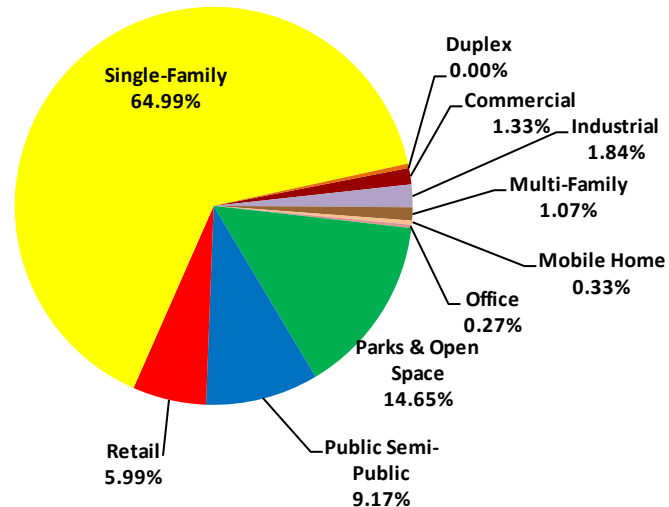
When excluding vacant land and only examining developed land, the predominant land use in Prosper is single family residential. Parks & Open Space constitutes the second highest land use followed by public/semi-public and retail. Discussed previously, very little residential variations currently exist. Additionally, in 2020 only 0.27% of the developed land use was occupied by office compared to zero office uses in 2012.

\*\* The land uses have been updated to reflect existing and land under construction through 2020.

Figure 3: Existing Land Use



Developed Land Only



# PLANNING CONTEXT

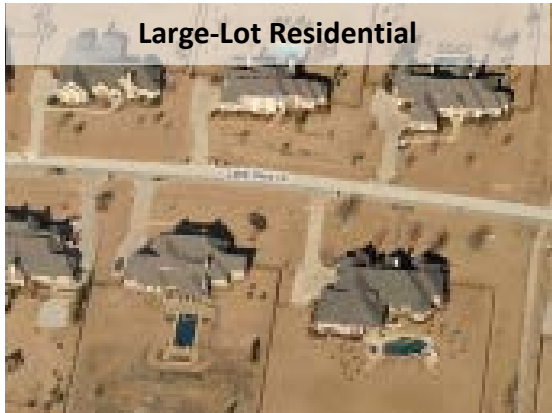
## Development Patterns

The majority of development within Prosper has occurred over the past decade, in conjunction with the rapid increase in population. The vast majority of development has been single family residential, although some retail has been added along Preston Road.

Most new residential construction has occurred to the east of Coleman Road and the original town center. Some residential development has begun on the western side of the planning area, with more expected in the near future. A significant number of large-lot homes were constructed in Prosper prior to 2005, coinciding with septic tank requirements that mandate a minimum lot size of 1 acre. As sewer service has been expanded and has become more readily available, lot sizes within new residential areas have become significantly smaller. In 2011, over 80 percent of approved housing permits were on lots under 15,000 square feet in size. In 2011, only 6 building permits were issued to lots at or above one acre in size while 51 permits, approximately 14 percent, were issued on lot sizes under 10,000 square feet.

The amount of vacant land within the community is advantageous, because it allows for new development opportunities on undeveloped land, rather than more expensive redevelopment. It will be important to ensure that the thoroughfare plan is coordinated with land use, to ensure that appropriate right-of-way is acquired during the subdivision of land. Additionally, it will be important to ensure connectivity is provided within and between new residential subdivisions, so that upon buildout, a connected street system serves the community.

Finally, a significant amount of infill land is available within the community. This land is located between subdivisions and along major roadways. It will be important to ensure that development in these areas is compatible with adjacent residential subdivisions.



# PLANNING CONTEXT

## Physical Development Patterns

Local development patterns refer to the factors that have influenced the shape and growth of the Town. Understanding such features creates knowledge of how the Town can grow in the future. These patterns are divided into two primary categories: “Natural Constraints” which examine the geographical aspects of Prosper and “Man-Made Constraints,” which examine features which have been constructed or added to the Town.

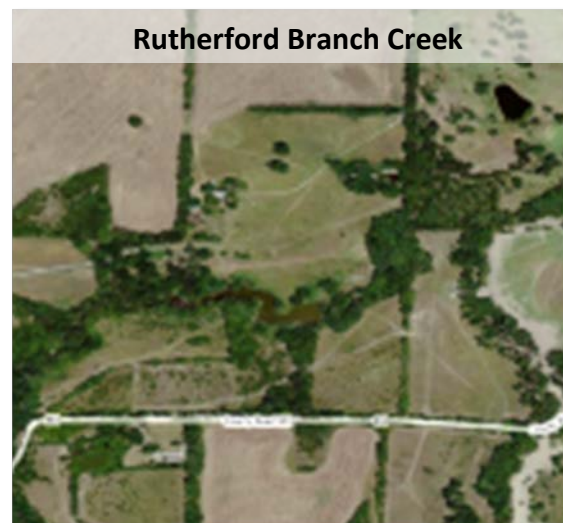
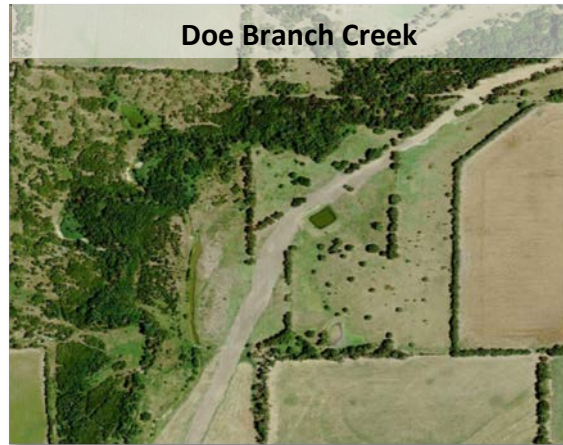
### Natural Constraints

Natural features influence what type of development can occur and where such development can occur. Topography, soils, vegetation, and wildlife are all factors which can have a direct effect on development within the Town and are all important factors which should be considered during the planning process.

The Town of Prosper is located along a major ridge line which runs to the east of Preston Road. Areas to the west of the ridge line drain into Lake Lewisville. Areas to the east of the ridge line drain toward Lake Lavon.

Most topographical variations within Prosper are located along the major ridge line, near Preston Road. While a certain degree of topography exists within Prosper, the relative flatness of Prosper and the surrounding area is advantageous for accommodating future development.

The two largest floodplain areas are located in the extreme eastern and western portions of the community; Doe Branch Creek in the west and Wilson Creek and Rutherford Branch Creek in the east. The floodplain areas along Doe Branch Creek, Wilson Creek and Rutherford Branch Creek contain the most natural tree cover within the planning area.



# PLANNING CONTEXT

**Prosper Trail**



**Broadway Street**



**Dallas North Tollway, Frisco**



## Man-Made Features

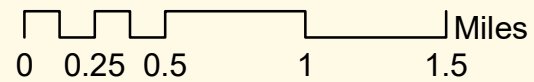
The importance of man-made features, such as transportation facilities, Town boundaries and infrastructure, are significant factors that greatly influence development patterns. The following discussion relates to the significant man-made features which currently exist within Prosper.

Preston Road, Highway 380 and the future Dallas North Tollway are the major arterial roadways within the community. As development occurs, Teel Parkway, Legacy Drive, Coit Road, FM 1385/Gee Road and Custer Road will grow in importance and will provide additional north-to-south corridors within the community. Prosper Trail and First Street will serve as major east-to-west corridors within the community. In addition to these roadways, the Dallas North Tollway will serve as a major transportation addition within the community and will increase accessibility within the community, will provide quick access to the regional highway network and will serve as a catalyst in attracting new development.

In the State of Texas, the extraterritorial jurisdiction (ETJ) refers to the land that an incorporated community may legally annex for the purpose of planning and accommodating future development. The Town has entered into boundary agreements with Frisco, McKinney, Celina and Little Elm and has no plans to expand west of FM 1385 at this time. For this reason, the general planning area for the Town is established and well-defined, allowing the Town to concentrate on the annexation of internal properties. The advantage of a defined Town boundary is knowing exactly where Prosper is able to grow. This enables Town staff to more effectively plan for growth, particularly the necessary infrastructure that will be needed to accommodate future growth within the Town boundaries.



October 2020



Legend

-  TOWN
-  ETJ

Town Limit and ETJ



# PLANNING CONTEXT

## Planning Context

In order for this Comprehensive Plan to truly be comprehensive, it will be important to consider the context in which the Plan is being created. The planning context includes a number of different factors including current and past planning efforts, regional initiatives, and external issues that, although may be beyond direct control of the community, have the ability to directly impact growth decisions, primarily the Dallas North Tollway extension. Building upon past planning efforts and considering external factors which impact Prosper's growth will allow for realistic growth assumptions to be made and will help to ensure a cohesive, inclusive and truly comprehensive plan.



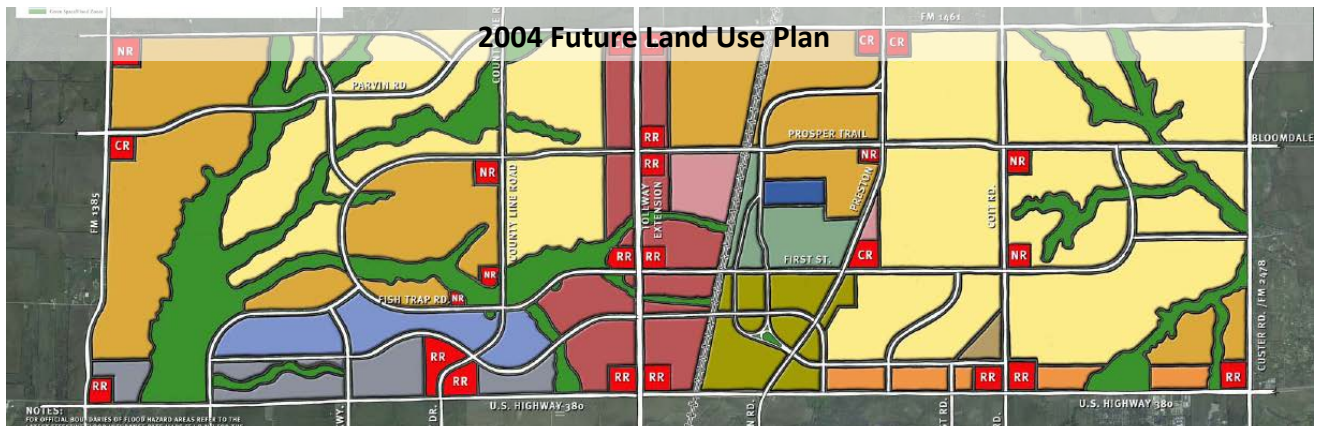
## Planning Efforts

### 2004 Comprehensive Plan

In 2004, The Town adopted a Comprehensive Plan to guide land use decisions within the community for the next 5 to 10 years. This Plan included the development of a future land use and community framework scenario and also examined the thoroughfare system and infrastructure of the community.

Land Use decisions made during the 2004 Comprehensive Plan will be examined and evaluated to determine if changes are necessary. Various development plans and agreements have been submitted to or approved by the Town. Updating the Future Land Use Plan will re-examine the community's vision and values. While the majority of land within Prosper is zoned, an updated Future Land Use Plan will provide the framework for discussions and negotiations with developers as changes to zoning occur.

It is typically recommended that a Comprehensive Plan be updated every 5 to 10 years, depending upon how rapidly the community is growing. Since 2004, Prosper has continued to grow quite rapidly, necessitating the review and update of the Comprehensive Plan.



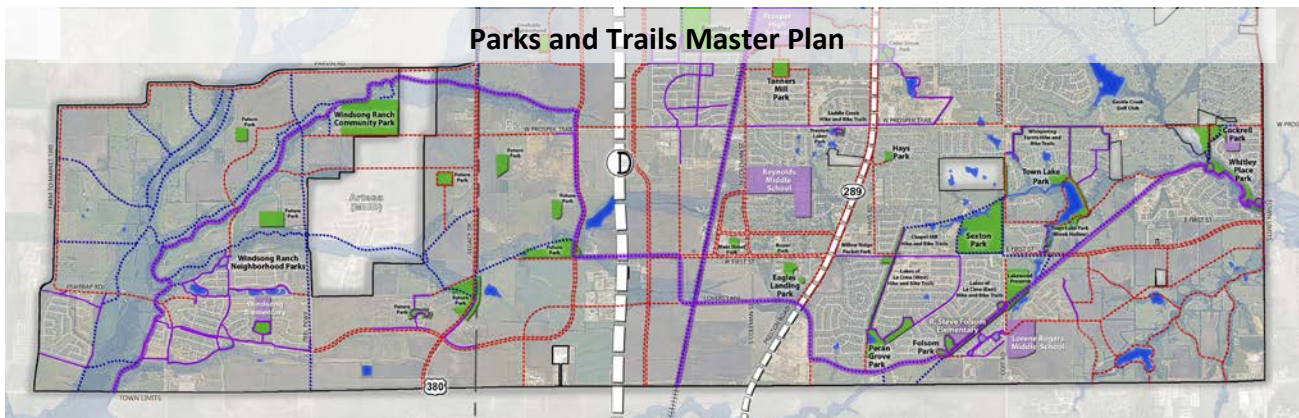
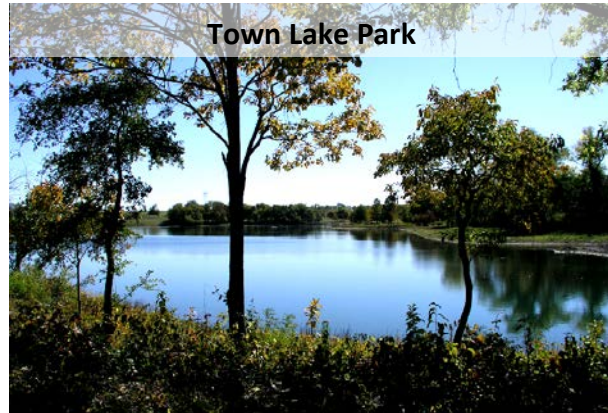


# PLANNING CONTEXT

## 2015 Parks Recreation and Open Space Master Plan

In 2015, the Town completed a Parks, Recreation and Open Space Master Plan (Parks Plan) to direct the growth of the Town’s parks as the community grows over the next several decades. The importance of the Parks Plan cannot be understated. Parks provide recreational opportunities for community residents and help to increase the overall quality of life of the community. The Town is currently updating on a Hike and Bike Master Plan. Trails provide recreational opportunities for residents to walk, run or bike throughout the community. Trails provide access to open space, parks, schools, community facilities and help to link various areas of the community to one another.

As development occurs, incremental implementation of the Parks Plan will occur. Ensuring that it is updated as changes occur, will help the Town leverage and negotiate with developers as vacant land is developed, ultimately enabling the Town to impose a proportional cost of park development on developers. It will be important that the Parks Plan be consulted by Town decision makers as development proposals are received. While slight deviations may be permitted to accommodate site layouts, the location of parks and trails have been chosen for intentional reasons and therefore the general locations of trails and parks should be adhered to as close as possible.



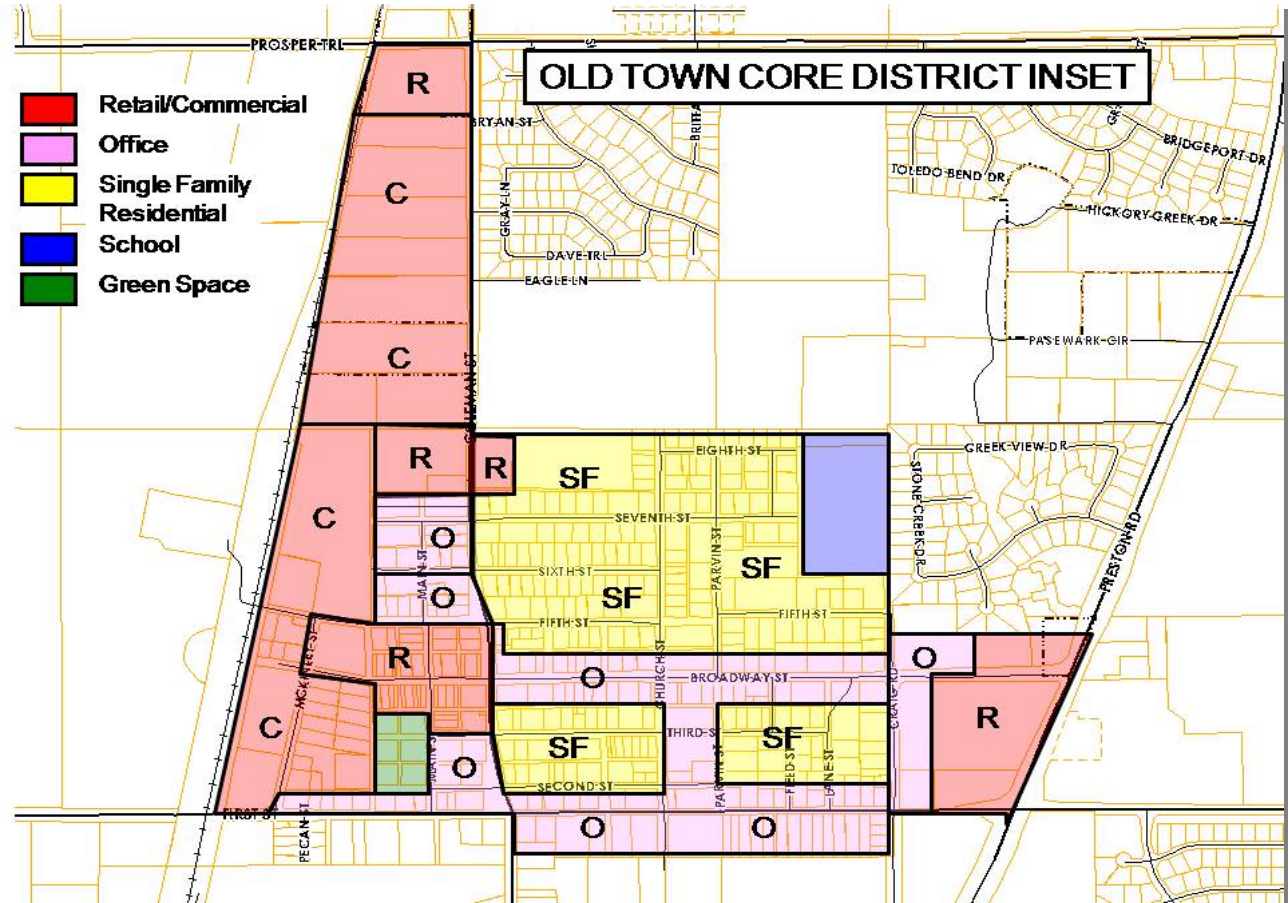
# PLANNING CONTEXT

## 2007 Old Town Core District Amendment

In 2007, the Town created the Old Town Core District Amendment to guide the land use development of Old Town. This area serves as the historical core of the community and the visible center of Prosper. While other areas of the community are currently more opportunistic for development due to vacant, available land, the core of the community cannot be forgotten. The history of Prosper is rooted within this area. Commercial, retail, office and single-family residential uses were applied within the Old Town area in addition to areas of green space and the school location. The planning efforts conducted by the Town in 2007 will be built upon during the creation of this Plan in order to ensure consistency.



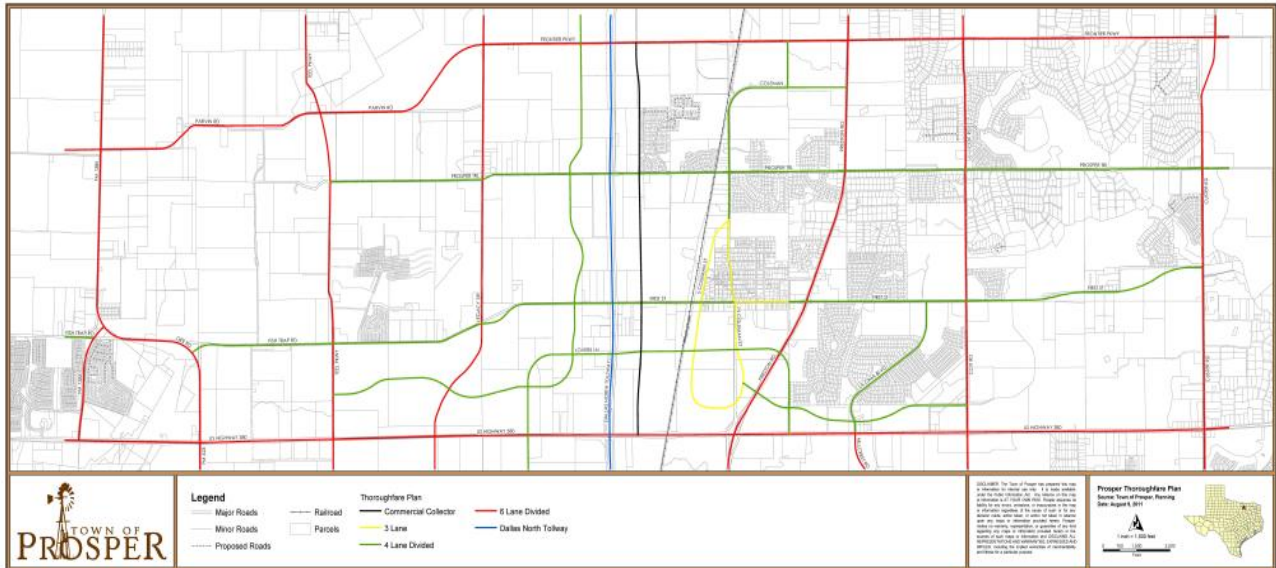
2007 Old Town Core District Map



PLANNING CONTEXT

*2010 Thoroughfare Plan*

The Town of Prosper completed an update to its Thoroughfare Plan in 2010, re-examining issues and redefining the Town’s roadway network. This Plan will build upon previous work efforts and will seek to coordinate land use decisions with previous transportation efforts. Any changes that result from land use decisions will be included as recommendations within this Plan and should be considered as the future Thoroughfare Plan update is made.



*2008-2010 Annexation Plan*

The Town of Prosper has taken a proactive approach towards defining its planning area. Annexation is a tool that communities use to proactively manage growth and ensure that future growth meets the established standards set by the community. This is particularly important due to the number of Municipal Utility Districts (MUD’s) that have developed along Highway 380, in Celina and other areas around the Metroplex.

Annexation phases coincided with a desire by Town Council to annex everything inside the Town’s boundaries defined by boundary agreements with Frisco, McKinney, Celina and Little Elm (FM 1385, Frontier/Parvin, Custer and Highway 380).

State law requires any community engaging in annexation to have a three year annexation plan. The annexation plan for Prosper was done in three phases: 2008, 2009 and 2010. The 2008 phase included 14 properties that were primarily confined to the center and southeastern areas of the community. The 2009 phase included 12 properties on the northwestern and west central areas of the community. Finally, the 2010 phase included 9 properties on the far western side of the community.

With the exception of the Artesia Municipal Utility District, only a few parcels of land remain to be annexed within the Town’s boundaries. Artesia may be considered for annexation at some point in the future.



# PLANNING CONTEXT

## Prosper ISD

Throughout the planning process, schools have been identified as one of the single most important features of the Town. As the Town continues to grow, it is of prime importance that the exemplary status and reputation of Prosper’s schools be maintained.

While the Town and Prosper Independent School District operate as two separate entities, they are inevitably related to each other. Growth in the Town increases the overall tax base and provides revenue for the School District. Additionally, excellent schools enable the Town to continue to attract new residents and new development.

The Town and Prosper ISD should therefore be in direct communication, clearly identifying areas of growth and assessing future educational needs. Communication between the Town and PISD will inevitably allow for coordinated infrastructure decisions, such as when new roads allowing access to new schools should be constructed.

The Town and Prosper ISD should also coordinate on population growth rates and potential future school locations. Establishing a working relationship between the two entities will benefit the Town, PISD and the residents of Prosper themselves.



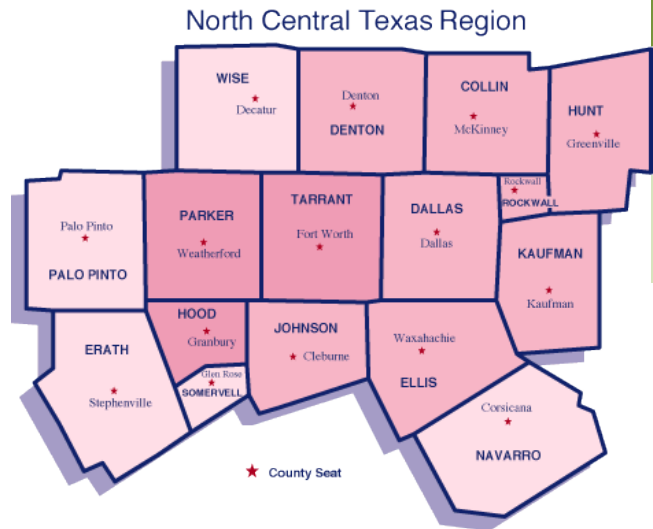
# PLANNING CONTEXT

some of the initial costs, studies and plans associated with quality planning.

## Regional Initiatives

### North Central Texas Council of Governments (NCTCOG)

NCTCOG is the metropolitan planning organization that encompasses the 16 county North Texas region. NCTCOG works to promote orderly and balanced growth within the North Texas region. The metropolitan transportation plan created by NCTCOG, known as Mobility 2035, contains a number of different components including arterial roadway networks, freeways, rail transit and a Veloweb Network (regional trail system).



Coordination with NCTCOG will help to streamline projects within Prosper, particularly if outside funding is desired or necessary. Typically, funding is awarded to projects which show planning and coordination at multiple levels. Ensuring that future roadway and transportation plans by the Town are coordinated with NCTCOG will help Prosper attract investment from both the public and private sector and will ensure that roadways are better coordinated between adjacent communities.

In addition to transportation, there are various grants that are awarded to communities in North Texas by NCTCOG. These grants are used to incentivize regional cooperation without requiring compliance. NCTCOG has established the Center of Development Excellence which provides 12 guiding principles that it recommends communities to consider. Communities in North Texas are encouraged to incorporate these principles, where best applicable, and are awarded grants and additional funding to help communities with

### 12 Principles

- Development Diversity
- Efficient Growth
- Pedestrian Design
- Housing Choice
- Activity Centers
- Environmental Stewardship
- Quality Places
- Efficient Mobility Options
- Resource Efficiency
- Educational Opportunity
- Healthy Communities
- Implementation

[www.developmentexcellence.com](http://www.developmentexcellence.com)



# COMMUNITY VISION

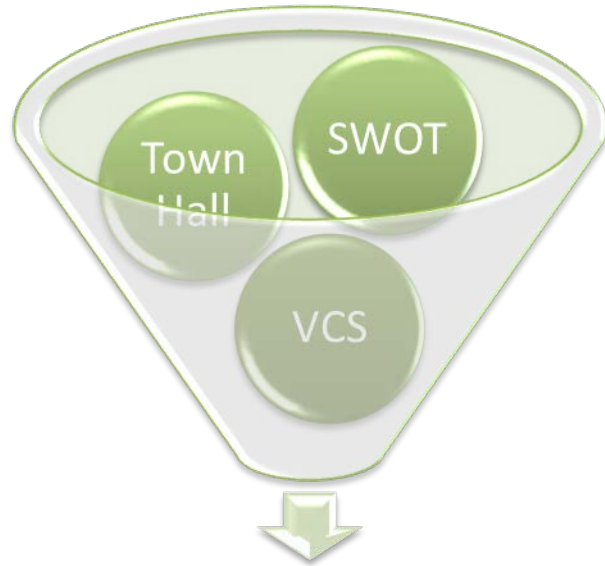
## Community Vision

A fundamental component of the comprehensive planning process evolves around the vision of the community. The importance of the vision cannot be overstated—the vision guides land use decisions and allows Town staff and decision makers to determine whether or not decisions are ultimately in conformance with the long term vision for Prosper, as defined by its residents. In other words, the vision is the roadmap that guides decisions within the community and serves as the basis for the Future Land Use Plan and policy recommendations.

For this Plan, the visioning process was guided by a Comprehensive Plan Advisory Committee (CPAC) and included several deliberate exercises. The visioning process included:

- **Seven CPAC Meetings**
- **CPAC SWOT Analysis**
- **CPAC Visual Character Survey (VCS)**
- **Two Town Hall Meetings**
- **Town Hall Brainstorming Groups**
- **A Public Visual Character Survey on the Town’s website**
- **Public Hearings During Adoption.**

The following pages contain the who and the what of the visioning process, highlighting the various groups involved, exercises used and preliminary results derived from the visioning process.



## Community Vision

*Every community is distinctive and has its own set of values, aspirations and objectives. The purpose of the visioning section is to determine the ultimate vision of the community based upon resident input.*

### **Unique, Distinctive, Exceptional**

*The community vision is used to guide the formation of the comprehensive plan and is ultimately used by decision makers as they weigh the vision with development proposals and future opportunities.*

## COMMUNITY VISION

### Comprehensive Plan Advisory Committee

Jason Dixon, Chair  
 Craig Moody, Vice Chair  
 Ane Casady, Secretary  
 Kelly Cooper  
 Mark DeMattia  
 Michael Goddard  
 Kyle Huckelberry  
 Ann Lieber  
 Meigs Miller  
 Eric Nishimoto  
 Jordan Simms  
 Daniel Ting  
 Doug Trumbull

### Comprehensive Plan Advisory Committee (CPAC)

A committee of community residents and business owners was compiled in order to assist in the development of the Plan. Committee members were selected based upon a variety of criteria including the area of the community where they reside, past or current council experience, economic development knowledge and business ownership. The CPAC’s role in the process was to guide the formation of the Plan document and ensure that the Plan created ultimately reflected the vision desired by Prosper residents.

Seven meetings were conducted with the CPAC:

- Orientation Meeting on May 2, 2011
- Visioning Meeting on June 6, 2011
- Future Land Use Meeting on September 12, 2011
- Livability Meeting on October 10, 2011
- Economic Analysis, Transportation and Infrastructure Assessment on November 14<sup>th</sup>, 2011
- Transportation Continued and Plan Review on December 14, 2011
- Town Hall Review and Final Comments on March 19, 2012

All CPAC meetings were conducted at 6:30 p.m. and were open to the public. Community residents and representatives from the development community were present at several meetings.

Energized and productive discussions were had at CPAC meetings, representative of the diverse opinions and backgrounds present on the committee. The exchange of ideas with various points of view ensured a thorough process where the realities of external factors affecting Prosper were weighted with the ultimate vision of the Town.



## COMMUNITY VISION

### Vision Statement

A vision communicates the reason for existence, the purpose behind planning and the overall goals of a community from a long-range planning and development perspective. The primary benefit of visioning is that it clarifies how a community will approach its critical planning, development and growth issues. With the clarified approach that visioning provides, the resulting Plan will better address the future of the Town in a manner that is reflective of the community’s interests.

The vision statement for a community should describe the community as it will ideally exist in the future. A vision statement spells out goals or values at a high level and promotes what the Town should become. The vision statement for this Plan is as follows:

*Prosper is a community committed to excellence. It is a high quality, family oriented community maintaining a visually aesthetic open feel with quality commercial development directed to the Town’s major transportation corridors all while maintaining strong fiscal responsibility.*



# COMMUNITY VISION

## Visual Character Survey


A Visual Character Survey (VCS) is a technique in which respondents are asked to score a series of photographs based on what they find to be visually preferable for Prosper. The images used are selected in order to illustrate different aesthetic, architectural, and visual elements within any particular built environment and are used in order to quantify exactly what types of developments are desired and appropriate for Prosper. Although the VCS is not necessarily scientific in nature, it is an effective method of receiving attitudinal, aesthetic-based input.

Three VCS surveys were conducted for this Plan. The first survey was conducted with the CPAC at the June 6, 2011 meeting. The second VCS was made available through the Town’s website following the Town Hall meeting. Town Hall attendees were given a passcode in order to take this VCS. The third and final VCS was made available to the general public through the Town’s website and contained no passcode. This survey remained available for approximately 3 weeks. A total of 434 residents participated in the online VCS for the community.

The VCS for Prosper was divided into 8 categories:

- Dallas North Tollway
- Preston Road
- Highway 380
- Housing Mix
- Street Design
- Signage
- BNSF
- Public Space

Visual Character Survey



**Questions to Ask:**

- Is the image appropriate for this area?
- What is my first impression?
- Does this image fit into the long-term vision for Prosper?

1  
Very Inappropriate


2

3  
Neutral

4


5  
Very Appropriate

Dallas North Tollway



3

Housing Mix



93



# COMMUNITY VISION

## Town Hall #1

A Town Hall meeting was conducted on Monday June 27, 2011. The purpose of the Town Hall meeting was to gather feedback from the public on what the vision for Prosper should be. Over 140 residents from the community attended the event that was held at Prosper High School.

Town Hall attendees were first given an introduction to the planning process. During this presentation, an overview of past planning efforts, existing conditions and growth patterns within our region was explained. The presentation concluded by informing residents of the planning process as well as introducing members of the Comprehensive Plan Advisory Committee to attendees.

A visioning exercise was conducted with attendees in order to engage the public and gather initial feedback on Prosper’s future. Topic tables were arranged so that each participant in attendance would rotate to each of the following tables:

- Land Use/Corridors;
- Transportation;
- Housing;
- Livability; and
- Community Identity.

At each of the tables, a member of the CPAC, Town staff or consultant guided discussion on each group’s major issues, concerns or ideas. Issues gathered were then compiled and presented to the CPAC to guide discussion on elements within the Plan.



# COMMUNITY VISION

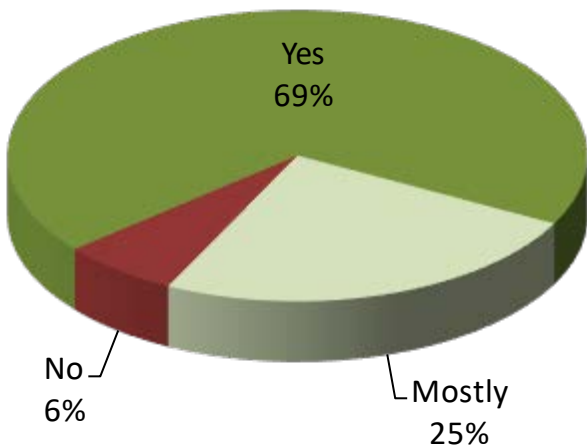
## Town Hall #2

On February 13, 2012, a Town Hall meeting was conducted at Prosper High School in order to present the Draft Comprehensive Plan to the public and to gather comments and feedback from the public on plan recommendations. Over 275 attendees were present at the meeting. Attendees participated in round table discussions where individualized feedback on plan recommendations was obtained. Participants were asked whether the Draft Plan accurately described the vision for Prosper, if there were any components of the plan that excited them, if there were components of the plan that concerned them and finally were asked to prioritize a list of issues based upon their personal order of importance.

The information collected from Town Hall attendees was then tabulated in order to identify consistent themes and priorities from the public. This information was discussed with the CPAC and necessary clarifications and/or text modifications to the Draft Plan were made.



### Question #1: Does the Plan Accurately Describe the Community's Vision for Prosper?



## COMMUNITY VISION

### Community Goals

Community goals are created to direct the formation of the Plan. They are practical yet general points under which more specific objectives may be located. The goals for the Plan are purposely designed to cover a wide array of individual objectives, but were specifically crafted to address many of the comments, issues, ideas and concerns defined during the visioning portion of the Plan's creation.

The following goals are intended to provide a framework for the creation of applicable and economically feasible land use decisions and special districts. The goals are also intended to establish guidelines for preserving Prosper's neighborhoods and creating quality new residential areas, maintaining and enhancing Prosper's quality of life and physical characteristics, providing a safe and attractive transportation network and ultimately ensuring that the Town's infrastructure systems will be adequate to accommodate 20-year growth. Plan objectives are located within the Implementation Chapter of this Plan.

- Goal 1: Provide a variety of land uses, in accordance with the vision of Prosper residents, which diversify the tax base and enable all types of people to live, work, shop, eat and relax in Prosper.**
- Goal 2: Maintain and enhance the high quality of life and small-town feel currently available and expected by Prosper residents.**
- Goal 3: Protect the quality and integrity of Prosper's neighborhoods.**
- Goal 4: Require high-quality and visually attractive architectural characteristics in both residential and non-residential developments.**
- Goal 5: Develop quality, open roadways that enhance the Town's rural image, are compatible with adjacent development and provide safe and convenient traffic movements.**
- Goal 6: Ensure that water, wastewater and stormwater infrastructure systems are able to meet future growth demands.**

## COMMUNITY CHARACTER

### Future Land Use

The right of a municipality to coordinate growth is rooted in its need to protect the health, safety, and welfare of local citizens. An important part of establishing the guidelines for such responsibility is the Future Land Use Plan, which establishes an overall framework for the preferred pattern of development within Prosper. In general, the Future Land Use Plan is intended solely to be a comprehensive blueprint of Prosper’s vision for its future land use pattern. Specifically, the Future Land Use Plan designates various areas within the Town for particular land uses, based principally on the specific land use policies outlined herein.

The Future Land Use Plan is graphically depicted for use during the development plan review process with the Future Land Use Plan map. The Future Land Use Plan should ultimately be reflected through the Town’s policy and development decisions. The Future Land Use Plan map is not a zoning map, which deals with specific development requirements on individual parcels. The zoning map and changes in zoning should, however, be based on the Future Land Use Plan and related Future Land Use Plan map.

### Legal Authority

Authority of a community to create a comprehensive plan is rooted in Chapters 211, 212 and 213 of the Texas Local Government Code.

#### Chapter 211

Chapter 211 of the Texas Local Government Code allows the government body of a community to regulate zoning.

#### Chapter 212

Chapter 212 of the Texas Local Government Code allows the governing body of a community to regulate subdivision development within the community limits and also within the Extraterritorial Jurisdiction (ETJ) which varies depending upon the population of the community.

#### Chapter 213

Chapter 213 of the Texas Local Government Code allows the governing body of a community to create a comprehensive plan for the “long-range development of the municipality.” Basic recommendations for comprehensive planning are to address land use, transportation and public facilities, but may also include a wide variety of other issues determined by the community.

It is important to note that a comprehensive plan is NOT a zoning ordinance, but rather is intended to be used as a tool to guide development, infrastructure and land use decisions in the future. The comprehensive plan does, however, serve as a basis on which zoning decisions are made, as specified by Chapter 211 of the Texas Local Development Code.



# COMMUNITY CHARACTER

## Process

The Future Land Use Plan was derived through a defined and deliberate process. Existing land uses, development agreements and planned developments were combined with extensive public input in order to create a Future Land Use Plan that is both realistic, attainable and reflects the public’s vision for Prosper’s future.

The first consideration was existing land use. Existing land use includes analyzing past development trends and working to ensure that future growth occurring within the community coincides with existing development patterns and does not negatively impact the integrity of existing neighborhoods.

An examination of potential planned developments was the second step. This involved an understanding of existing development agreements that are in place within Prosper. Understanding what types of development may occur in the future helps to determine what the adjacent land uses should be.

Finally, an extensive public input process was conducted with the general public and the CPAC. The public and CPAC described the characteristics which should define Prosper and identified many of the needs within the community.

Additionally, a VCS was conducted with attendees of the CPAC, Town Hall meeting and the general public. A significant number of responses were received and the results of the survey helped to determine the visual aesthetics and development characteristics that were felt to be appropriate within Prosper.

The results of this process ultimately concluded in a land use scenario for the Town. This land use scenario is not a mandate, but should be used to guide Town staff and decision makers as development intensifies in the coming years.

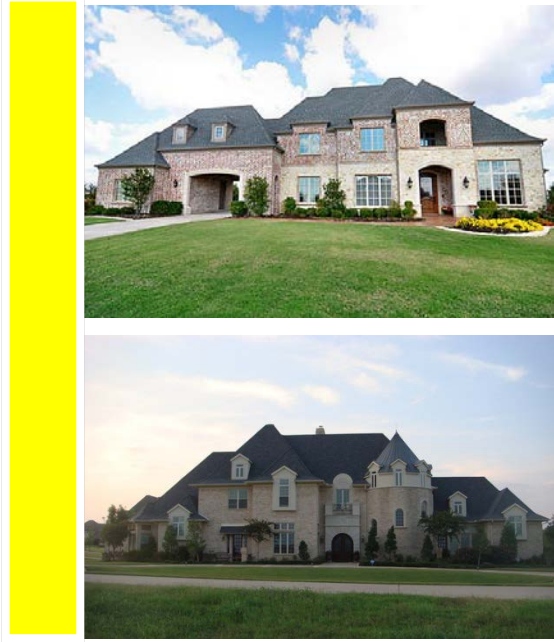


# COMMUNITY CHARACTER

## Land Use Types

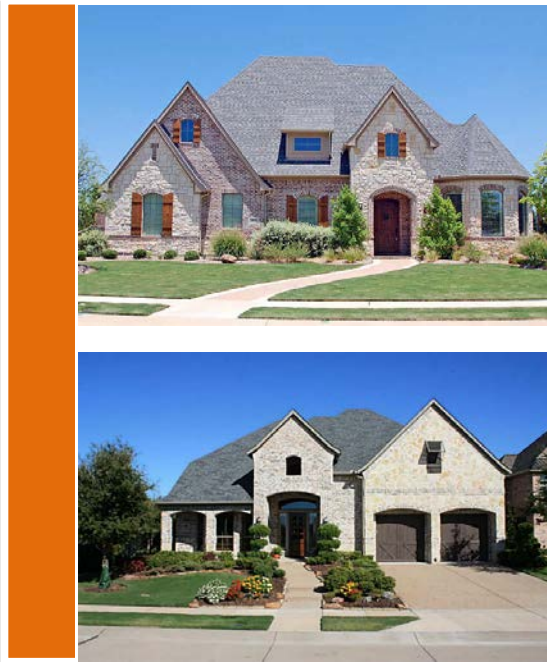
### Residential Low Density

This land use is indicative of large-lot single-family homes. Typically speaking, lot sizes within any low density development will range between 15,000 square feet and 1+ acre in size. While a variety of lot sizes may be used, the total gross density of low density residential neighborhoods should not exceed 1.6 dwelling units per acre. Large-lot homes will provide a continuation of the rural atmosphere and feel that was intensely expressed by Prosper’s residents. Most low density residential areas will be located in Northwest and Northeast Prosper.



### Residential Medium Density

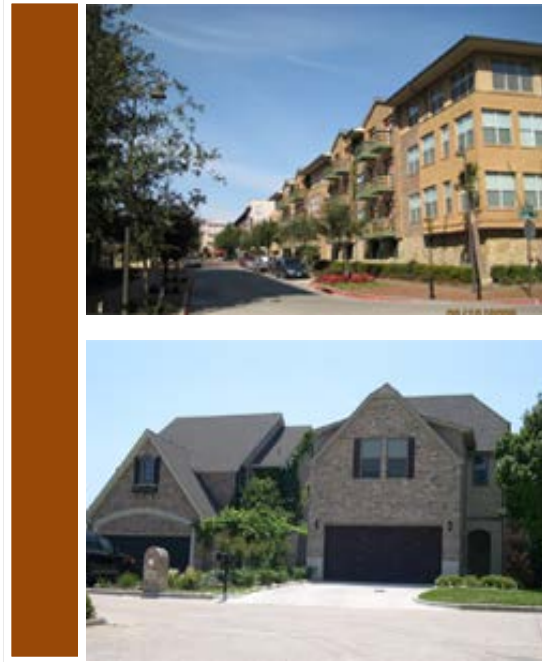
Medium density residential is also representative of single family detached dwelling units. Lot sizes in medium density residential neighborhoods could range between 12,500 and 20,000 square feet in size. A variation in lot sizes may be permitted to achieve a goal range in density. While a variety of lot sizes may be used within medium density residential neighborhoods, the gross density of such developments will typically not be less than 1.6 dwelling units per acre or greater than 2.5 dwelling units per acre.



# COMMUNITY CHARACTER

## Residential High Density

High density residential represents the most intense residential land uses permitted in Prosper. High density single family uses will consist of developments greater than 2.5 dwelling units per acre and lot sizes smaller than 10,000 square feet. Within Prosper, the high-density residential district is reflective of the Artesia development, where single family residential lot sizes and dwelling units per acre will be substantially higher than the rest of the community. High density residential may be located within the Dallas North Tollway, Highway 380, Town Center and Old Town Districts. In such areas, high density residential may take the form of multifamily or single family attached dwelling units and may include mixed-use lofts/apartments, patio homes, snout houses, brownstones and townhomes.



## Retail and Neighborhood Services

Neighborhood services typically include retail establishments that provide merchandise for retail sale, banks, neighborhood office and small medical offices. Retail uses are particularly important because they contribute to Prosper’s tax base through both property and sales taxes, making their inclusion attractive and often times competitive. Within Prosper, neighborhood service uses will likely occur at major intersections along the Dallas North Tollway, Highway 380 and Preston Road corridors. Neighborhood service uses should also be strategically placed along the Town’s perimeter in order to attract patrons from neighboring communities, enhancing sales tax revenue opportunities. The majority of neighborhood service activity within Prosper will likely be included within the Dallas North Tollway, Highway 380, Town Center and Old Town districts.





# COMMUNITY CHARACTER

## Dallas North Tollway District

The Dallas North Tollway district will consist of the most intense land uses within Prosper. A diverse mixture of office, retail and residential will likely develop along the corridor. Mid-rise office (up to 12 stories) may be permitted throughout the corridor. Office buildings should be designed for a “campus feel”—they should be oriented towards common public space with significant landscaping and should be linked by a pedestrian network. A common architectural theme should also be established for a consistent visual appearance. Mixed-use development should be encouraged and should contain a mixture of office, retail and residential uses. Mixed-use lofts/apartments would be the most appropriate residential use within this district. Structured parking should be encouraged in more intense areas to limit the presence and visibility of large parking lots. Structured parking should be oriented in a way that minimizes visibility from the Tollway.



## Highway 380 District

Much like the Dallas North Tollway district, the Highway 380 district will contain a variety of different uses. The major contrast between Highway 380 and other districts will be the inclusion of a big box development and commercial service uses. Types of appropriate commercial include hotels, banks, vehicle refilling stations with a convenience store, home service centers with outside storage, garden center with outside storage and other similar uses which serve the community but are not necessarily desired on Preston Road or within the Dallas North Tollway corridor. Residential land uses may be appropriate within certain areas, particularly away from major intersections where retail and commercial will be the highest and best land use. Residential land uses may include patio homes, snout houses, townhomes and brownstones. These residential areas may serve as a buffer between more intense activity along Highway 380 and low density residential areas to the north.



# COMMUNITY CHARACTER

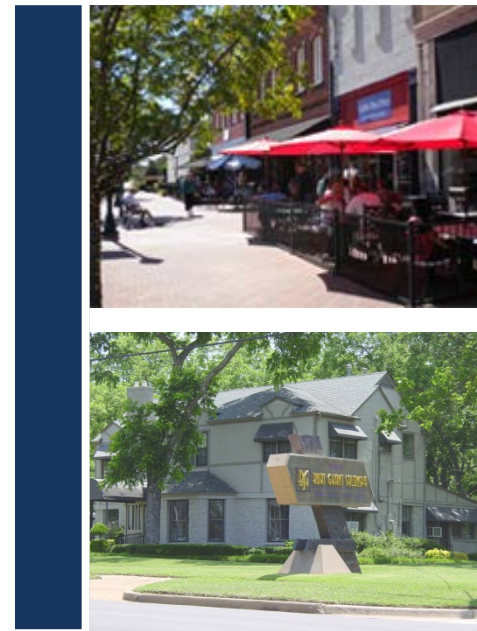
## Town Center District

The Town Center district is a continuation of the area defined by previous planning efforts as a future location for a large scale mixed-use development. The Town Center would include a mixture of land uses but development will be less intense than that located along Highway 380 and the Dallas North Tollway. Retail, small scale office, and residential uses would be included within this district, but the primary intent should be focused on dining and shopping. Public space should be a major component of this area, creating space for families and residents of Prosper to meet and socialize. Open space located within the Town Center could be used for community events, festivals and school events. Urban design should accommodate the pedestrian while providing automobile access and discreet parking. Residential uses may include mixed-use lofts/apartments, patio homes, townhomes and brownstones. Areas of single family residential may also be permitted, particularly on the northern side where the development abuts the Old Town district.



## Old Town District

The Old Town district is the heart of Prosper. This historic area of the community is intended to include a variety of boutique type land uses, ranging from unique and local retail establishments, restaurants and offices. Many of the historic homes within the Old Town district, particularly areas along First Street and Broadway, may gradually convert to boutique office and retail establishments. The most opportunistic possibility for a transit stop, if desired by future residents, would be within the Old Town district, which could facilitate redevelopment of the downtown area. If this occurs, high density residential options, such as live-above lofts/apartments, may be considered. The historic past of the community should be preserved. The community's beginnings as a farm community in rural Collin County are part of what defines Prosper, and these attributes should be preserved as new infill development occurs.

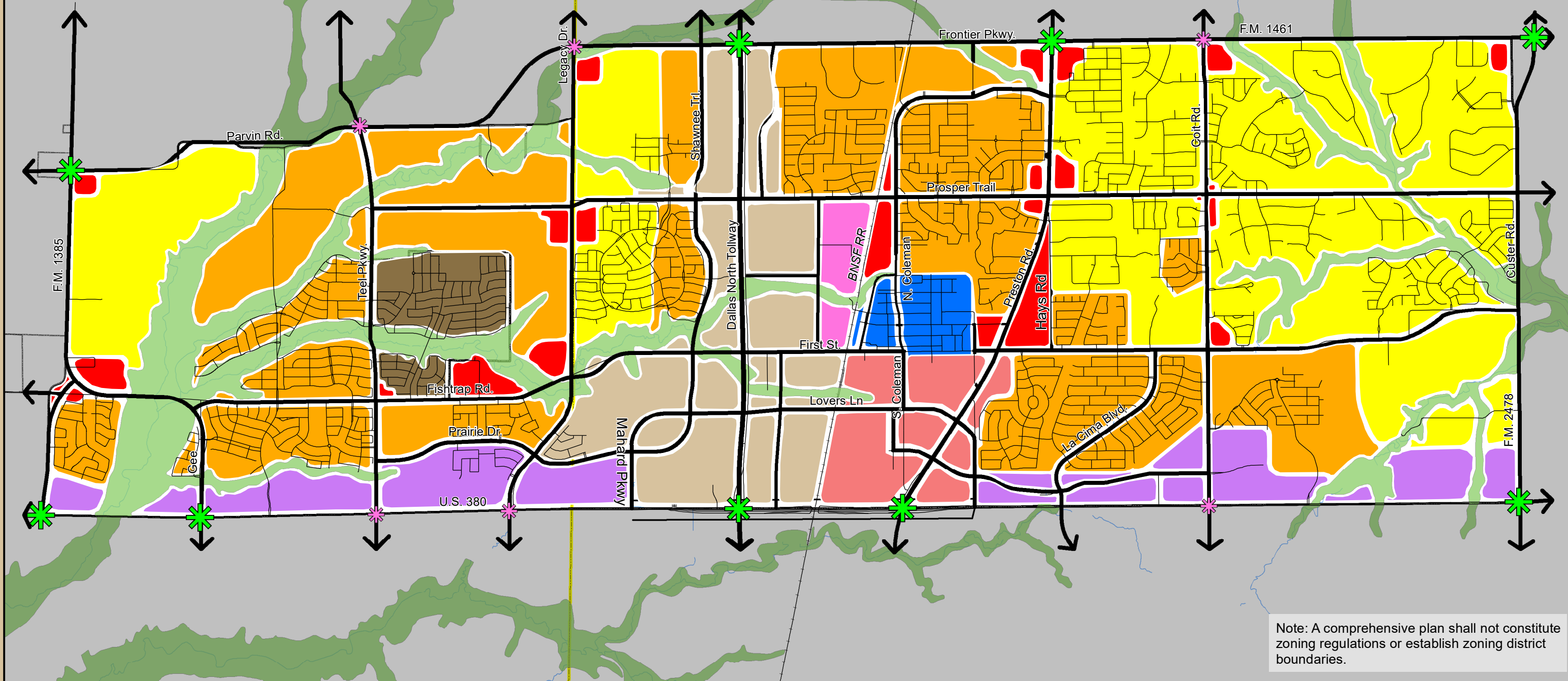


# COMMUNITY CHARACTER

## Business Park

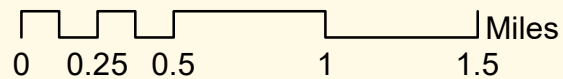
A Business Park district, located to the west of the BNSF Railroad between Prosper Trail and First Street, will include a variety of potential land uses including light industrial, commercial warehousing, office storage and commercial uses with outside storage. While outside storage will likely occur and be necessary within this district, significant effort should be placed on the visual integrity of the district, particularly when located in higher visibility areas. When such uses abut roadways, larger landscape setbacks, such as 40 feet setbacks, that include berms and evergreen shrubs/trees should be used to protect the visual integrity of roadways and the public view. All outside storage should also be screened from public view and from adjacent properties. The location of the BNSF railroad and close proximity to the Dallas North Tollway provide the Business Park with significant accessibility. Uses located along First Street, Prosper Trail and other perimeter areas should incorporate a higher degree of landscaping and architectural design in order to protect the visual integrity of Prosper's roadways.





Note: A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

Updated October 2020



**Legend**

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Retail & Neighborhood Services
- Business Park
- Old Town District
- Town Center
- Tollway District
- US 380 District
- 100 Year Floodplain
- ✱ Major Gateway
- ✱ Minor Gateway
- Town of Prosper
- ETJ

# Future Land Use Plan

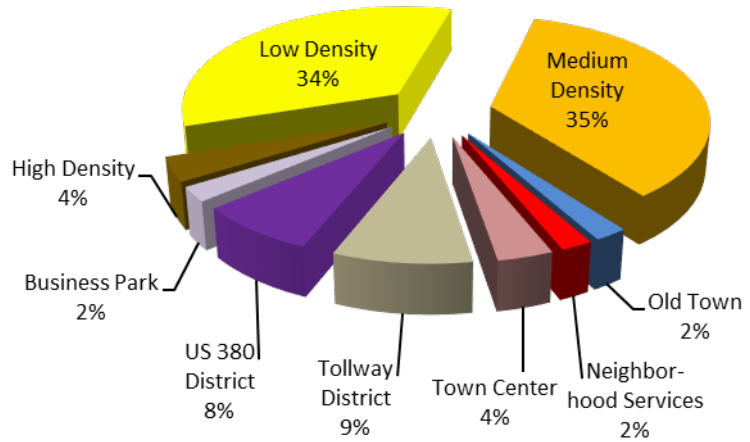


# COMMUNITY CHARACTER

## Land Use Acreages

Based upon the Future Land Use Scenario, medium density residential will constitute the largest future land use within Prosper at 35 %, followed by low density residential at 34%. In terms of non-residential development, the Dallas North Tollway district will be the largest commercial district constituting 9% of the total land use in Prosper, followed by the Highway 380 district at 8%. In total, 73% of the total land in Prosper will be reserved for residential uses with the remaining 27% being a combination of retail, office, commercial and high density residential.

Figure 4: Future Land Use Acreage



## Ultimate Capacity

The ultimate capacity for Prosper is based on the Future Land Use Scenario. Certain assumptions were made in order to calculate the Ultimate Capacity. For low density residential, lot sizes greater than 15,000 square feet, 1.2 dwelling units per acre was used for our assumptions.

For the purpose of estimating ultimate capacity, medium density residential includes lot sizes between 10 and 20,000 square feet in size. For purposes of our assumptions, an average of 2.3 dwelling units per acre was assumed for medium density residential.

High density single family residential is indicative of Artesia. Artesia is an existing Municipal Utility District, located in Prosper’s ETJ in Denton County, which has the right to develop 2,170 single family lots and 600 multifamily units. While Artesia is not currently located within the Town of Prosper, it is located in the Town’s planning area and therefore, is included in this Plan. Based upon actual dwelling units and acreage, a high density single family density of 4.8 DUA and multifamily density of 20 DUA was used.

Conservative estimates based upon developer agreements, planned developments and Town zoning indicate that over 5,000 more high density dwelling units may be built in Prosper. This number constitutes nearly 30% of the total dwelling units.



# COMMUNITY CHARACTER

## Population Projections

Based upon the future land use scenario and the previous assumptions, the ultimate capacity for Prosper is approximately 72,095 residents, as delineated below. Changes in overall development patterns that deviate from the Plan’s recommendations could significantly impact the ultimate capacity of the community. The Artesia development is within Prosper’s ETJ and is not included the Prosper population numbers provided by NCTCOG or the US Census Bureau. This accounts for the difference in the build-out capacity numbers provided in the 2020

### 2012 Estimated Buildout Capacity

| Land Use                             | 2012 Acreage  | DUA * | Dwelling Units | PPH** | Total Pop |
|--------------------------------------|---------------|-------|----------------|-------|-----------|
| Low Density                          | 2,573         | 1.2   | 3,087          | 3.4   | 10,498    |
| Medium Density                       | 3,763         | 2.3   | 8,654          | 3.4   | 29,427    |
| High Density Single-Family (Artesia) | 450           | 4.8   | 2,170          | 3.4   | 7,378     |
| High Density Multi-Family (Artesia)  | 30            | 20    | 600            | 2.4   | 1,440     |
| High Density Residential             | -             | -     | 5,000          | 2     | 10,000    |
| Additional Population                | 58,743        |       |                |       |           |
| Existing Population                  | 10,560        |       |                |       |           |
| <b>Total Build-Out Capacity</b>      | <b>69,303</b> |       |                |       |           |

\*DUA (Dwelling Units per Acre)

\*\*Persons per Household

### 2020 Estimated Buildout Capacity

| Land Use  | 2020 Acreage  | DUA* | Dwelling Units | PPH** | Total Pop |
|---|---------------|------|----------------|-------|-----------|
| Low Density                                       | 1,880         | 1.2  | 2,246          | 3.4   | 7,671     |
| Medium Density                                    | 3,512         | 2.3  | 8,078          | 3.4   | 27,464    |
| High Density Single-Family (Artesia)              | 450           | 4.8  | 2,170          | 3.4   | 7,378     |
| High Density Multi-Family (Artesia)               | 30            | 20   | 600            | 2.4   | 1,440     |
| High Density Multi-Family (Entitled)              | -             | -    | 4,200          | 2     | 8,400     |
| High Density Senior Multi-Family                  |               |      | 180            | 1     | 180       |
| Additional Population                             | 52,533        |      |                |       |           |
| Existing Population                               | 28,380        |      |                |       |           |
| <b>Total Build-Out Capacity</b>                   | <b>80,913</b> |      |                |       |           |
| <b>Total Build-Out Capacity Excluding Artesia</b> | <b>72,095</b> |      |                |       |           |

\*DUA (Dwelling Units per Acre)

\*\*Persons per Household

# COMMUNITY CHARACTER

## Community Livability

What does the term livability mean with regard to urban planning? Generally, livability reflects the characteristics, aesthetics, design and social aspects of Prosper that make the Town unique and which help to establish a sense of community. There are many intangibles that make a place livable, such as a sense of community, a strong sense of place in particular areas, civic pride and the friendliness of neighbors. There are also tangible aspects that can promote livability as well.



Prosper is a unique community with its own values and vision. The following section describes in more detail some of those tangible aspects that, when tailored to fit the needs and vision of Prosper, can help the Town to grow in a manner that enhances the quality of its neighborhoods and helps to create vibrant retail establishments. This section is intended to describe, in more detail, the characteristics of the Future Land Use Plan and is intended to be used to guide decision makers what the public believes the character of Prosper should be as it grows. This section includes a discussion of various land use concepts and how they apply to Prosper, general neighborhood characteristics, housing mix, corridors and image enhancement.

It should be noted a significant number of pictures in this section were taken directly from the Visual Character Survey that was made available to the public during August 2011.



## Livability Guidelines

- Preserve small-town, rural feel
- Maintain open spaces that create a quiet, open feel
- Provide a range of housing in Prosper, taking into consideration, among other things, data relating to income, education levels and ethnicities.
- “Raise the bar” on development/ attract quality development
- Attract neighborhood services, such as a grocery store
- Build a system of connected parks and trails for outdoor recreation
- Clearly brand and identify Prosper through gateways and other identifying features
- Provide entertainment venues for families
- Create high quality mixed-use centers where residents may shop, dine, socialize and live
- Enhance Old Town Prosper



# COMMUNITY CHARACTER

## Land Use Concepts

### Mixed-Use

Mixed-use refers to a development style that combines a mix of land uses within one defined zoning district. For example, residential, retail, restaurants, office and public uses may be allowed in the same building, same lot, same tract, block or zoning district. Benefits of mixed-use development include:

- Flexibility of building spaces over time;
- Long term viability of commercial districts;
- Providing higher quality high density residences;
- Inclusion of public facilities;
- Reduction in the frequency of vehicular trips; and
- Minimizing land consumption.

Mixed-use developments are defined by their design—building orientation, roadway configuration and amenities such as shade trees, benches and lighting create a safe environment that is conducive for walking. Intentional integration of diverse land uses within one localized area creates a lifestyle option where a person can perform many of their daily needs and recreational desires within a short distance of home. Such environments are particularly attractive to young professionals, young couples and empty nesters.

Mixed-uses are typically either horizontal or vertical in nature. Horizontal mixed-uses involve retail, office and residential all located within one defined area, but within separate buildings. Vertical mixed-use developments would include any combination of retail, office and residential within the same building. A common example of vertical mixed-use is residential lofts and apartments above street-level retail and office space.



### General Guidelines

- **Reduced Setbacks:** bring building facades closer to the street.
- **Central Gathering Space or Focal Point:** Create an identity through public space.
- **Pedestrian Orientation:** Facilitate the pedestrian experience through quality urban design. Ensure access and connectivity to adjacent neighborhoods.
- **Architecture:** moldings, spires, canopies, balconies and building locations all create a sense of identity and contribute to the experience.
- **Strategic Parking:** utilize shared parking, on-street parking, parking behind buildings and structured parking.
- **Connectivity:** mixed use areas should be tied in to adjacent residential development.



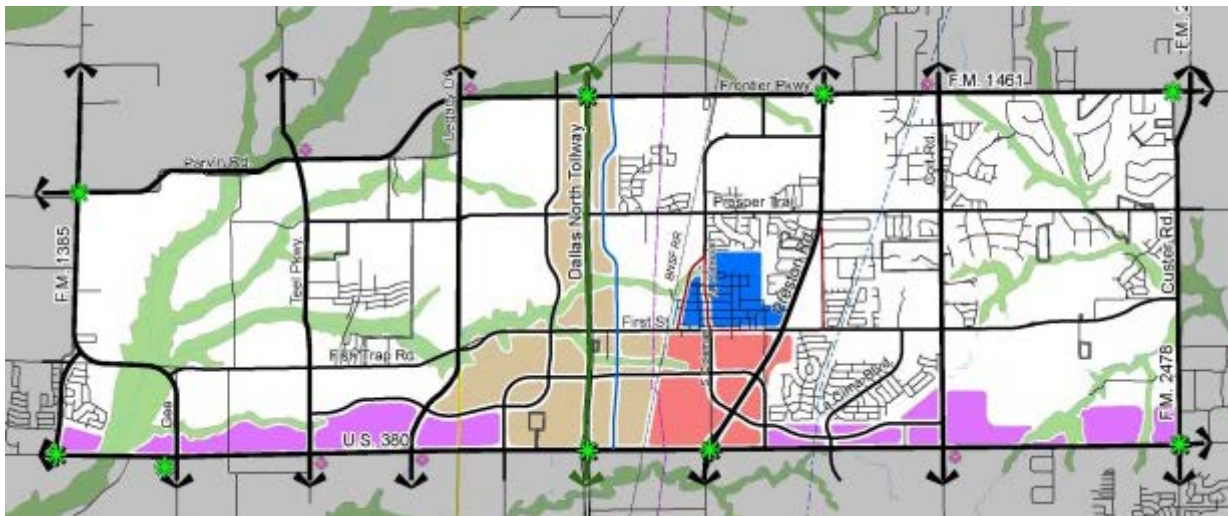
# COMMUNITY CHARACTER

What does mixed-use development look like in Prosper? We asked the community in a public Visual Character Survey. The highest rated mixed-use pictures are shown below.



Past planning efforts, including the Town’s previous comprehensive plan, have indicated that the most opportunistic location for a Town Center, a large mixed-use district, would be the area roughly bounded by First Street to the north, Highway 380 to the south, BNSF Railroad to the west and Preston Road to the east. This area is currently identified as a planned development by the Town’s zoning ordinance.

Within Prosper, mixed-use areas may be appropriate along the Dallas North Tollway, Highway 380, Town Center and Old Town districts, as shown below.



# COMMUNITY CHARACTER

## Horizontal and Vertical Mixed-Use Development

Mixed-use developments that include a range of land uses incorporated within the same building, but typically at different levels, are referred to as vertical mixed-use developments. Common examples of vertical integration include apartments and lofts over ground level retail and office uses. Examples of vertical mixed-use developments are Shops at Legacy in Plano, Watters Creek in Allen and the West Village/State-Thomas areas of Dallas. Vertical mixed-use development was preferred by Prosper residents.

Horizontal mixed-use development is representative of a mixture of uses within close proximity to each other, but not necessarily within the same building. Horizontal mixed-use developments typically include residential uses along the periphery of the larger development area, separate from a more intense retail and office core. An example of horizontal mixed-use development is Southlake Town Center. The central area of the Town Center includes retail and office uses with residential townhomes located on the periphery of the development, primarily on the east side.

Two factors considered when determining whether vertical or horizontal integration should be utilized are land availability and land value. In more intense areas of development, land values are typically higher and land availability may be significantly less. In such locations, vertical integration, and higher densities (up to 5 stories), would be most appropriate. In Prosper, vertical integration of mixed uses will likely occur within the Dallas North Tollway and Town Center districts. Horizontal mixed-use integration typically occurs where land availability and value can accommodate an overall lower density. Here, 1-3 story retail and office may be surrounded by townhomes, patio homes, multi-unit homes and other less intense uses. In Prosper, horizontal mixed uses will likely occur within the Highway 380 and Town Center districts.

### Vertical Mixed-Use

- **Characteristics**
  - Multiple uses within the same building
  - Live-above lofts and apartments
  - More urban in nature
  - 4-5 story height for buildings with residential uses located above the first floor
  - Structured Parking
- **Considerations**
  - Consume less land
  - Land value (density to maximize value)
  - Higher density (typically more urban )

### Vertical Mixed-Use

#### Horizontal Mixed-Use

- **Characteristics**
  - Multiple uses within a planned areas, but not necessarily within the same building
  - 1-3 story heights/lower density nature
  - Areas of apartments, townhomes, brown stones, patio homes and multi-unit homes around the periphery, buffering low-density neighborhoods.
  - Structured parking or rear parking/rear entry garages
- **Considerations**
  - Consume more land
  - With buffering, may be located near residential areas along HWY 380

### Horizontal Mixed-Use

# COMMUNITY CHARACTER

## Transit Oriented Development

If transit oriented development becomes a desire in Prosper, it should reflect the Town’s values and should be customized to fit the Town’s built environment.

As the Town and DFW region continue to grow, and as the regional transit network becomes more established, transit may become a more viable and desired option for Prosper residents, particularly for commuters. Feedback received from the Town Hall indicates that transit is not desired at the current time. While rail transit may not be an immediate need and may not be realistically achieved for some time, discussion with the CPAC indicated that it may be in the best interest of the Town to identify a potential location for a rail stop and allow future residents to determine whether or not rail will be appropriate if the 19.5 mile line to Celina becomes a reality. If the North Carrollton to Celina Line is constructed, the train will traverse the center of Prosper multiple times daily. If this scenario occurs, it was expressed that rail should be used to benefit the community, particularly as an economic development asset.

If transit oriented development becomes a desire in Prosper, it should reflect the Town’s values and should be customized to fit the Town’s built environment.



If the desire for rail connectivity arises in the future, the most appropriate location for a future transit stop, and for transit oriented development, may be in the Old Town district of the community, likely at the intersection of the BNSF railroad and First Street. In addition to an existing rail line, the Old Town district contains the historical past of the Town and therefore presents many opportunities for a mixture of preservation and redevelopment—a theme consistent with what community residents indicated during visioning exercises. A station in Old Town should be architecturally and aesthetically compatible with the development in the Town Center and Old Town districts.



As Prosper continues to grow, development and redevelopment of the Old Town area may become more realistic. If transit is deemed appropriate in the future, its location in Old Town may help to bring a unique mix of business, restaurants and offices to the Old Town core.

The ultimate decision on whether or not transit is appropriate for Prosper should be left to future residents and future Town Councils to decide.

If the desire for rail connectivity arises in the future, the most



# COMMUNITY CHARACTER

## Context Sensitive Solutions

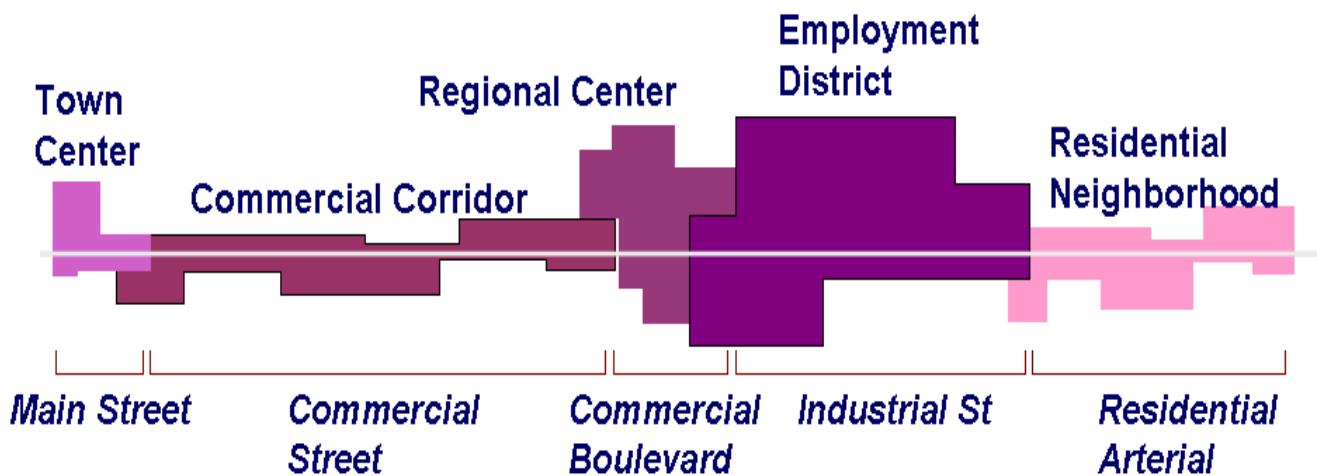
Context sensitive solutions is the practice of developing transportation projects that serve all users and meet the needs of the neighborhoods through which they pass. It is a collaborative process that involves Town staff, property owners, developers and business owners in development of street designs that fit into the character of surrounding neighborhoods while maintaining safety and mobility. The key is that elements of the street should complement the context of surrounding or adjacent development in order to generate a “roadway experience” and therefore the roadway may take on certain characteristics to support and be compatible with adjacent development. The process of designing CSS roadways is similar to the process of designing traditional thoroughfares in that automobile traffic is considered with traffic counts, traffic demand and level of service information-gathering efforts. The difference is that in addition to automobile traffic, other elements, such as pedestrian traffic, building form and land use, are also carefully considered.

The CSS approach recommends designing thoroughfares based upon:

- Community objectives
- Functional classes
- Thoroughfare types
- Adjacent land use
- Environmental considerations

In order to design accordingly, decision makers must understand the key relationship between transportation and land use, particularly the flexibility that may be needed in roadway design in order to accommodate a thoroughfare to changing urban form within the community. Understanding key community objectives for land use within the community is also important in order to ensure that public infrastructure investments are in line with ultimate land use objectives.

**A roadway may traverse a wide range of land uses. It is important to design the roadway considering its role and impact in each particular area.**



# COMMUNITY CHARACTER

Coleman Road is a prime example of an application of context sensitive solutions in Prosper. Coleman Road will transition as it traverses the community. The southern portion of Coleman Road will traverse the Town Center. In this area, it must consider the more intense development that will likely be located within the Town Center and its focus will be primarily placed on moving traffic and safely accommodating the pedestrian. As the roadway moves into the Old Town district, it must respect the character of Old Town. The roadway will likely narrow and head-in and parallel parking will likely be utilized. Other pedestrian amenities, such as bulb outs, street trees and enhanced sidewalks may be considered. As Coleman Road continues to the north of Old Town, it will transition into a residential thoroughfare with more lanes added and on-street parking removed.

## Context Sensitive Principles

- Satisfies purpose and needs as agreed to by a full range of stakeholders
- Safe facility for user and community
- Project in harmony with community, preserves natural, aesthetic, historic and natural resource values of the area
- Project exceeds the expectations of designers and stakeholders— achieves a level of excellence.
- Project involves efficient and effective use of resources
- Designed and built with minimal disruption to community
- Project seen to have lasting value to the community

*An ITE Recommended Practice: Context Sensitive Solutions in Designing Major Urban Thoroughfares for Walkable Communities (2006)*

**Safe and attractive roadways for pedestrians and traffic in retail areas**



**On-street parking in historic areas or high pedestrian areas**



**Transition into residential areas**



# COMMUNITY CHARACTER

## Building Orientation

Building orientation has the ability to significantly affect the appearance of the community. Over the past several decades, strip shopping centers have been defined by large setbacks and with parking areas located between the building and the roadway. With this type of design, much of the visual identity of the corridor is placed on the parking lots and vehicles, rather than on the architecture and identity of the community and the buildings themselves.

During visioning exercises, many Prosper residents indicated that high quality non-residential development should be a priority in Prosper and that the “cookie-cutter” strip centers that define many suburban neighborhoods should be discouraged within Prosper. Building orientation is a way to ensure that high-quality retail and commercial centers are developed within Prosper.

Retail centers should be clustered together, when possible, creating nodes of activity rather than strips of activity. Neighborhood retail centers will most likely be located at major intersections within Prosper. Clustering of buildings into nodes of activity can often help to define outdoor spaces such as plazas and courtyards and the strategic orientation of buildings can also minimize circulation conflicts.

An additional design which may be considered is the placement of parking areas behind buildings rather than along the roadway frontage. The visual experience is then focused upon the landscaping and architectural design of the building, rather than on a large parking lot located in the front.

Parking Lot Frontage and Building Frontage



Strip Center Retail and Nodal Retail



# COMMUNITY CHARACTER

## Livable Neighborhoods

Livable neighborhoods, regardless of what type of environment, have some common characteristics. The following is a discussion of some of these common characteristics as well as strategies to ensure that neighborhoods are protected, preserved and enhanced as development continues to occur within the Town.

|  |  |   |  |
|--|--|---|--|
|   |   |   |   |
| <p><b>Life-Cycle Housing</b></p>   | <p><b>Connectivity</b></p>   | <p><b>Identity</b></p>  | <p><b>Recreational Access</b></p>  |
| <p>Encourage a variety of housing types and sizes to accommodate different stages of life within Prosper. Ensure a range of housing that takes into consideration, among other things, data relating to income, education levels, and ethnicity.</p> | <p>Encourage connected neighborhoods which emphasize both internal and external connectivity. Neighborhoods should be linked to each other as well as to the community as a whole.</p>   | <p>Encourage neighborhood events, such as National Night Out, block parties and other neighborhood events to promote social interaction among neighbors and to foster a sense of community.</p> | <p>Incorporate the Parks Master Plan in order to create outdoor recreational opportunities for both neighborhoods and the community, enhancing the quality of life of Prosper.</p> |
|   |   |   |   |
| <p><b>Quality Development</b></p>  | <p><b>Neighborhood Conveniences</b></p>  | <p><b>Open Space</b></p>  | <p><b>Neighborhood Signage</b></p>   |
| <p>Continue to encourage the creation of custom homes, a definitive feature of Prosper, through anti-monotony standards and by requiring quality building materials that reduce maintenance and preserve long-term appearance.</p>                   | <p>Incorporate neighborhood retail centers in strategic locations which optimize convenience for adjacent neighborhoods. Offer walkable connections to adjacent neighborhood as well as automobile connections and discreet parking.</p> | <p>In addition to parks and trails, neighborhoods should include open space in order to preserve the rural nature of Prosper.</p>   | <p>Delineate different neighborhoods through entrance features and signage toppers.</p>  |



# COMMUNITY CHARACTER

## Long Term Neighborhood Viability

Neighborhoods are often defined in more abstract terms by the sense of “community” and the quality of life enjoyed by the people who live and play there. Well-designed neighborhoods provide a setting for residents to develop a strong sense of belonging, which is promoted by their interactions. The quality and livability of the Town’s neighborhoods are integral components of the overall character. The key to a successful neighborhood is creating a livable and affordable environment where the ongoing investment in property is supported by public investment in parks and greenbelt areas; opportunities for social interaction; accessibility for pedestrians, bicyclists and vehicles; and distinctive characteristics which give an area a unique identity. Prosper neighborhoods may be quantified in terms of the following characteristics:

- Opportunities for neighborhood interaction;
- Careful and strategic placement of retail uses and other appropriate non-residential uses within access of the neighborhood area;
- Continued investment in public and private property to stabilize property values;
- Condition of public facilities and infrastructure serving the area;
- A sense of “community” and belonging among residents through distinctive neighborhood identities;
- Access to amenities such as parks, open spaces, public facilities and trails; and
- Incorporating open spaces within neighborhoods as a definitive feature of Prosper.

The majority of Prosper’s housing stock is relatively new and in good physical condition. Ensuring that the preceding principles are used to guide new development will protect the long term viability and continued investment in Prosper’s neighborhoods in the future.



### The following is feedback received from Prosper Residents during the Public Meeting regarding its neighborhoods:

- Open space/tree preservation
- Neighborhood services
- Sidewalks
- Bicycle/Jogging Trails
- Minimal Street lighting
- Sound barriers/buffers on high-traffic corridors
- “Chic Country” community
- Space for community/ neighborhood festivals and events
- Entertainment for families



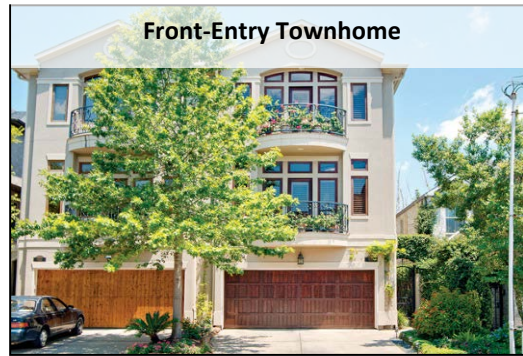
# COMMUNITY CHARACTER

## Housing Mix

It is important for communities to provide a variety of housing for its citizens and to meet the needs of different segments of the population. The “full-life cycle” is intended to describe all stages of life.

## Housing Mix-Alternative Housing Options

Generally speaking, most of Prosper’s housing options are, and will continue to be, single family homes. Prosper residents have indicated that other housing types are appropriate within the community but that such units should primarily be confined within the Dallas North Tollway, Highway 380, Town Center and Old Town districts. Many housing options in these districts take place on smaller lots, such as in the case of townhomes, brownstones, patio homes, and zero lot line homes. Design approaches for these types of homes tend to favor rear entry garages for two primary reasons; aesthetics and drainage.



Rear-entry garages on developments with lot sizes less than 50 feet in width help to protect the visual integrity of the streetscape by reducing the visibility of closely situated garages and driveways. This is particularly important when looking at townhomes, brownstones, zero-lot line homes and patio homes which are either attached or closely situated to one another. Rear entry garages allow more landscaping opportunities and create a more walkable environment in such areas by reducing the frequency of individual driveways.

In addition to aesthetics, rear-entry garages may also aid with drainage. Determining where water that collects in ones backyard should drain is often a contested issue. Having rear-entry garages or a small rear yard/rear patio feature can be a design advantage to this effect.

While rear-entry garages should be considered for the densest forms of residential housing options, it is likely that front-entry garages will continue in the majority of Prosper’s lower density neighborhoods.



# COMMUNITY CHARACTER

## Transitional Uses, Screening and Buffering

The Future Land Use Plan seeks to minimize conflict between residential and nonresidential areas, but screening and buffering efforts can help to mitigate any remaining incompatibility between land uses.

The Town should consider reviewing the existing screening and buffering requirements between residential and nonresidential developments. There are several options to alleviate the conflict: require transitional uses, screening, and/or buffering.

Larger setbacks, such as a 40 foot setback, may be utilized to protect the public view and create a more rural feel. Within such setbacks, extensive landscaping, such as berms, double rows of large trees and solid living evergreen screens may be used. Examples of “living screens” were rated favorably in the Visual Character Survey and include the types of screening mentioned above, typically on setbacks greater than 25 feet. When landscape berms are used, consideration for maintenance should be a priority. Typically speaking a 1:3 slope should be used for landscape berms to ensure proper maintenance. So, for example, a 25’ setback would allow a 4’ berm; a 30’ setback would allow a 5’ berm; and a 40’ setback would allow a 6’ berm.

If a screening wall is used, the wall should be constructed entirely of brick, masonry, or other like material consistent with the exterior finish of the primary structure. It should also be at least 6 feet in height. Wood is a high maintenance material and therefore is not recommended for screening walls. Construction of such a wall would typically be a responsibility of the nonresidential land use developer. If a retaining wall is located on the property line, the screening wall should be located on top of the retaining wall to maximize visual screening.



In addition to screening residential areas from non-residential areas, screening and buffering techniques should also be used to protect the visual realm from unwanted eyesores such as:

- Trash receptacles
- Utility Boxes
- Commercial loading docks
- Expansive parking lots

A variety of screening uses may be utilized including masonry or brick walls, shrubs, trees and landscape berms, among others.

## COMMUNITY CHARACTER

### Open Space Preservation

A common theme expressed by CPAC members and Town Hall attendees was the need to preserve open space within Prosper. Many residents have chosen to live in Prosper due to its quiet, rural feel and abundant open spaces. Prosper is located along a prime development corridor and therefore significant pressure will be placed on land owners to sell property and existing open spaces for development in the future. Therefore, in order to preserve open space within the community, Prosper may consider the following options.

**Purchase of Development Rights (PDR)** is a program that enables the community, or a land trust, to purchase the development rights from a landowner. Essentially, the municipality or trust would purchase the difference between the appraised and market value (what a developer would pay for purchase of the property) in exchange for the landowner not developing the land. The landowner can continue to use the land as farmland or open space. Once an agreement is reached, the land may not be subdivided or developed. In the future, the property owner may sell the land at the appraised value, but the restrictions on development remain. One advantage to PDR is the preservation of open space and the continued ownership of land by the property owner. The disadvantage is such land remains under the control of the landowner, even after development rights have been purchased, and therefore is not public space. Only the development rights have been purchased, not the land itself.

### Transfer of Development Rights (TDR)

While not commonly used in Texas, TDR is a way of transferring development rights from a transfer area, or open space, to a receiving area (area approved for development). If, for example, the tollway district was identified as a receiving zone, a developer that was seeking development greater than the approved density

for that district could purchase the development rights from an area containing open space and transfer that right to develop to his/her property along the tollway. The developer is therefore able to build at a higher density and open space is able to be preserved elsewhere. This increased density option would only be allowed in areas identified as receiving zones, not within individual neighborhoods.

**Conservation Easements** are another method of preserving open space. Conservation easements are initiated by the land owner in an attempt to protect their property from future development. In its publication *Conservation Easements: A Guide for Texas Landowners*, The Texas Parks and Wildlife Department outlines many of the advantages of conservation easements, including tax benefits. Typically, a property owner voluntarily creates an agreement with a municipality or county that limits development on the landowner's property. In a conservation easement, the landowner will limit their right to one or more of the following: right to manage resources, change use, subdivide or develop. Conservation easements ensure that a farm, ranch, estate or open space area is preserved from development pressures in the future. The advantage to conservation easements is that land is preserved indefinitely and such easements may be sold or donated to land trusts for significant tax credits. The disadvantage is that the landowner receives no monetary reimbursement for not developing, such as in the purchase of development rights scenario, other than tax credits.

### Parks Plan

The Town of Prosper currently has a park dedication ordinance that requires 1 acre of park dedication for every 35 units or 5% of total land. The system of parks and trails established by the 2007 Parks Master Plan is the most significant way open space can be preserved within Prosper. Park land dedication should be guided by the adopted Parks Plan.



# COMMUNITY CHARACTER

## Social Interaction

The term *community* naturally implies the congregation and interaction of people. Residents identified that one of the defining features of Prosper were its residents and the sense of community that exists within the Town.

As the Town continues to grow, a sense of community will continue to be an important characteristic of the Town. With a larger population, the built environment will need to provide spaces and opportunities for residents to meet, congregate, interact and enjoy life. Creating such venues will help foster a sense of community among residents and will create family environments where interaction begets new friendships.

An amphitheater was seen as a potential opportunity to host Town events. This Amphitheater, when combined with a larger open space/park area, could serve as a central location for Town festivals and events.

In addition to a community garden, many communities in North Texas have begun to offer farmers markets, encouraging local growers to bring in fresh produce for residents to purchase. The number of farmers markets has increased 17% from 2010 to 2011, with the second largest growth occurring in Texas at 38% (US Department of Agriculture – Agricultural Marketing Service news release, Aug 5, 2011). Farmers markets and community gardens can also be beneficial in supporting the local economy and encouraging social interaction.

The creation of the Town Center and other mixed uses will also help to create additional places for Prosper residents to interact and socialize with other families by creating opportunities for retail shopping and dining.



# COMMUNITY CHARACTER

## Corridors and Districts

A major component of the visioning exercises pertained to the three major corridors in Prosper: Preston Road, Dallas North Tollway and Highway 380. The following discussions on each corridor are a result of the visioning exercises and feedback received from the comprehensive plan advisory committee and the general public.

### Preston Road

#### Land Use

Preston Road was described by numerous residents as “our road.” Traversing the center of the community, Preston Road will have a variety of land uses and will have a varying context. In the southern portion of Prosper, Preston Road will accommodate higher degrees of traffic, particularly as it traverses the Town Center. Retail, office and some medium density residential will be located along Preston Road on the southern end of the Town, gradually becoming more residential in nature as it moves north. Small scale office and retail may be located in certain areas along Preston Road and these should be the types of uses which service adjacent neighborhoods. Big box uses, mid-rise development, and more intense land uses were generally not viewed as favorable as small-scale retail and office uses. Residents identified an upscale grocery store, such as a Central Market or a Whole Foods, as one of their top priorities along Preston Road.



#### Character

The character of Preston Road should be more rural in nature, respecting the small-town character of the community. Large, heavily landscaped setbacks should be prevalent along the roadway helping to differentiate Prosper from Frisco while also providing a natural sense of calm for Prosper residents. Wide setbacks are particularly important as the roadway traverses residential areas generally north of First Street. Areas of retail should be designed to the highest level of quality and architectural characteristics within individual developments should follow a theme consistent with recently completed development. Residents felt that retail areas should be organized in a nodal nature rather than in a strip center fashion in order to prevent the entire roadway frontage from being consumed by retail. Unanchored, stand-alone retail establishments should be discouraged in favor of a nodal shopping center development.



# COMMUNITY CHARACTER

## Dallas North Tollway

### Land Use

Unlike Preston Road, regional development pressures will likely be placed along the Dallas North Tollway. Feedback received from the public indicated that more intense uses would be appropriate along the corridor. Types of uses that scored relatively well included mid-rise office buildings, mixed-use development and corporate office parks, among others. Generally speaking, the DNT corridor will contain land uses that support a more regional context and will likely include office space, retail uses and business parks. High density residential is appropriate within the DNT corridor. Mixed-use lofts/apartments are the preferred style of high density residential within this district. Images depicting big box retail, auto sales centers and commercial services, such as self-storage facilities, scored the lowest along the Dallas North Tollway.



### Character

The character of the Dallas North Tollway will be significantly more intense than the rest of the Town. The most intense development will be located in the southern portion of the corridor, primary around the interchange of the Dallas North Tollway and Highway 380. Development in the Northeast corner of this intersection will likely be a continuation of the Town Center district, much in the same way office uses surround Legacy Town Center in Plano. Areas on the Northwest corner of the interchange are currently identified as mixed-use. A mixture of office, retail and medium to high density residential will likely develop within this area. Floodplain on the north side of the Northwest corner will serve as a buffer between the more intense development and the low density residential neighborhoods to the north. Intensity of development should gradually decrease on the north side of the Dallas North Tollway corridor and backage roads will help to facilitate the creation of pad sites that may buffer the Tollway from residential uses.

# COMMUNITY CHARACTER

## Highway 380

### Land Use

Of the three major corridors, Highway 380 contains the longest stretch of potential development. Generally speaking, land uses along the Highway 380 Corridor were seen to be more commercial in nature. Unlike Preston Road and the Dallas North Tollway, big-box retail scored relatively well along Highway 380, in addition to office, hotel uses, retail centers and service uses, such as a gas station and fast food restaurant. Similar to the other categories, industrial uses, including warehouses, were not seen as a highly appropriate use along the Highway 380 corridor. Due to the length of the corridor, a variety of land uses will be located along the corridor. Typically speaking, retail and service establishments will locate adjacent to Highway 380 and along major intersections, in a nodal pattern of activity. Such uses capitalize on higher traffic counts and require a higher degree of visibility. Big box uses may also be located along the corridor, but pad sites should be located adjacent to Highway 380 to capitalize on visibility and pass-by trips. Residential uses, such as patio homes, snout homes and townhomes and brownstones may be located within this district. Such uses will likely be used as a buffer between more intense uses along Highway 380 and lower intensity residential neighborhoods to the north. Such uses may also be located mid-block, reserving major intersections for retail and commercial uses.



### Character

The character of Highway 380 will be much more commercial in nature. Wide setbacks with large landscape buffering will protect the visual appearance of the corridor, while still allowing more intense commercial land uses to operate. Big Box retailers may be permitted, but they should be designed to the highest possible quality, incorporating significant landscaping, high quality materials, such as stone and brick, and should contain architectural enhancements and building articulation.

Medium and high density residential options may be included within the Highway 380 corridor but such uses should be carefully designed to protect, enhance and buffer low density neighborhoods to the north from more intense development along Highway 380.



# COMMUNITY CHARACTER

## Old Town

The Old Town area of Prosper is, in many ways, the heart and soul of the community. As the Town continues to experience rapid growth, it is this core and center that can serve as an identifying feature of the Town and can also serve to showcase Prosper’s humble beginnings. Many communities in the Dallas/Fort Worth metropolitan area have used their downtowns as an identifying feature. Prosper residents have identified the significance of the downtown area and have indicated its potential role in the future of the community.

Coleman Road serves as a divider between residential uses to the east and non-residential uses to the west. The western side of Coleman will be the primary area of focus for redevelopment and infill. The Old Town district indicates that commercial, office, retail and single family uses will be permitted within the district. It is anticipated that many single family dwelling units along First Street and Broadway will gradually convert to boutique retail and cottage office uses, requiring flexibility in land use decisions as these areas transition over time.

Coleman, Broadway and First Street will serve as the primary corridors within the downtown area. Special attention to context sensitivity should be given to these roadways as they move from newer areas into the downtown. Parallel and head-in parking will likely be included along with pedestrian walkways and streetscape enhancements.

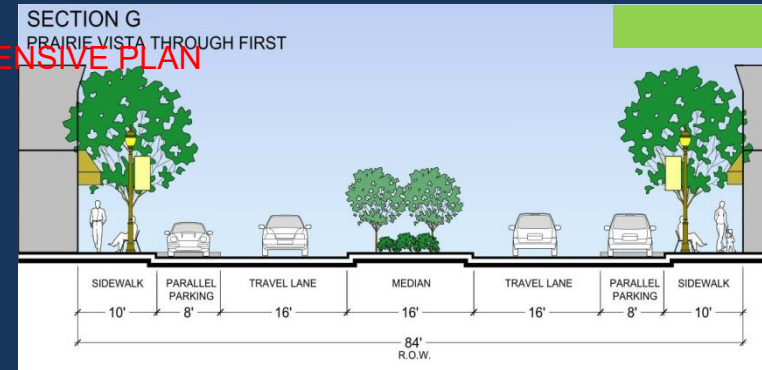
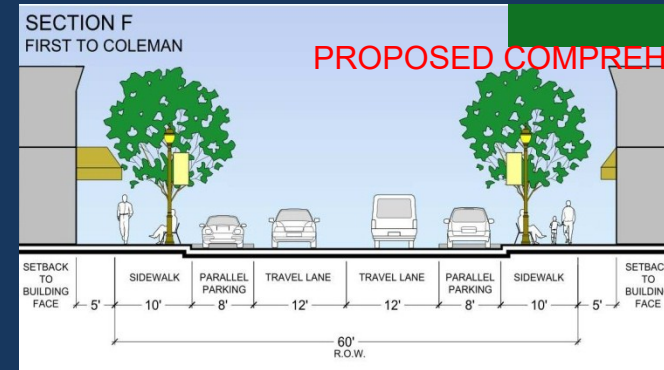
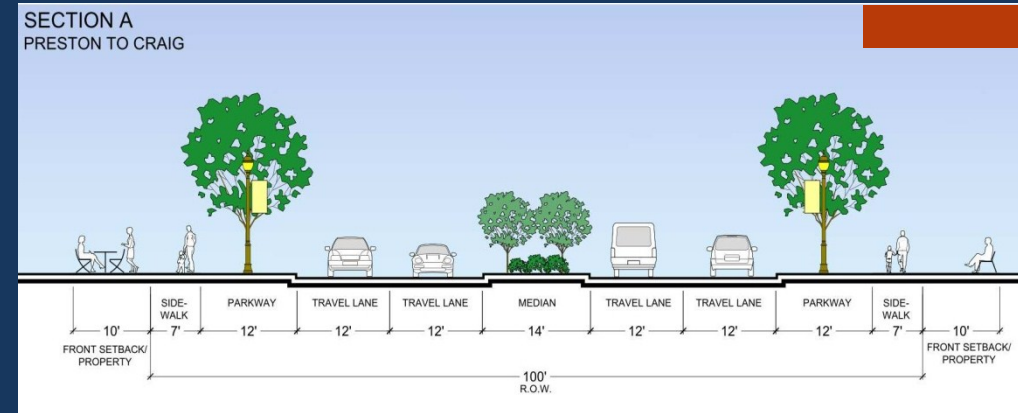
If a transit station is built at First Street and the BNSF railroad, higher density residential options should be permitted near the station. Currently, only studio apartments are permitted within the Old Town district. High density residential options, such as vertical mixed-use development, townhomes and brownstones should be considered within close proximity of the transit station. Locating high-density residential within 1/4 mile of the transit station will help ensure long term viability and effectiveness of transit and will ensure that Prosper’s transit station is more than simply a “park-and-ride.”

All future development should be consistent in theme, possibly emphasizing an “old downtown” feel consistent with Texas downtowns at the turn of the 20<sup>th</sup> century. Lewisville, McKinney and Plano are examples of successful downtown rehabilitation projects which project such an image.





PROPOSED COMPREHENSIVE PLAN



**Section A:** Four lane divided roadway with a landscaped parkway on each side and a landscaped parkway separating pedestrians from traffic. This section serves as a major entrance into Old Town from the east. No on-street parking.

**Section B:** Two lane divided boulevard with a large center median containing landscaping. Wide travel lanes allow for bicycle accommodation and a landscaped parkway separates pedestrians from traffic. No on-street parking.

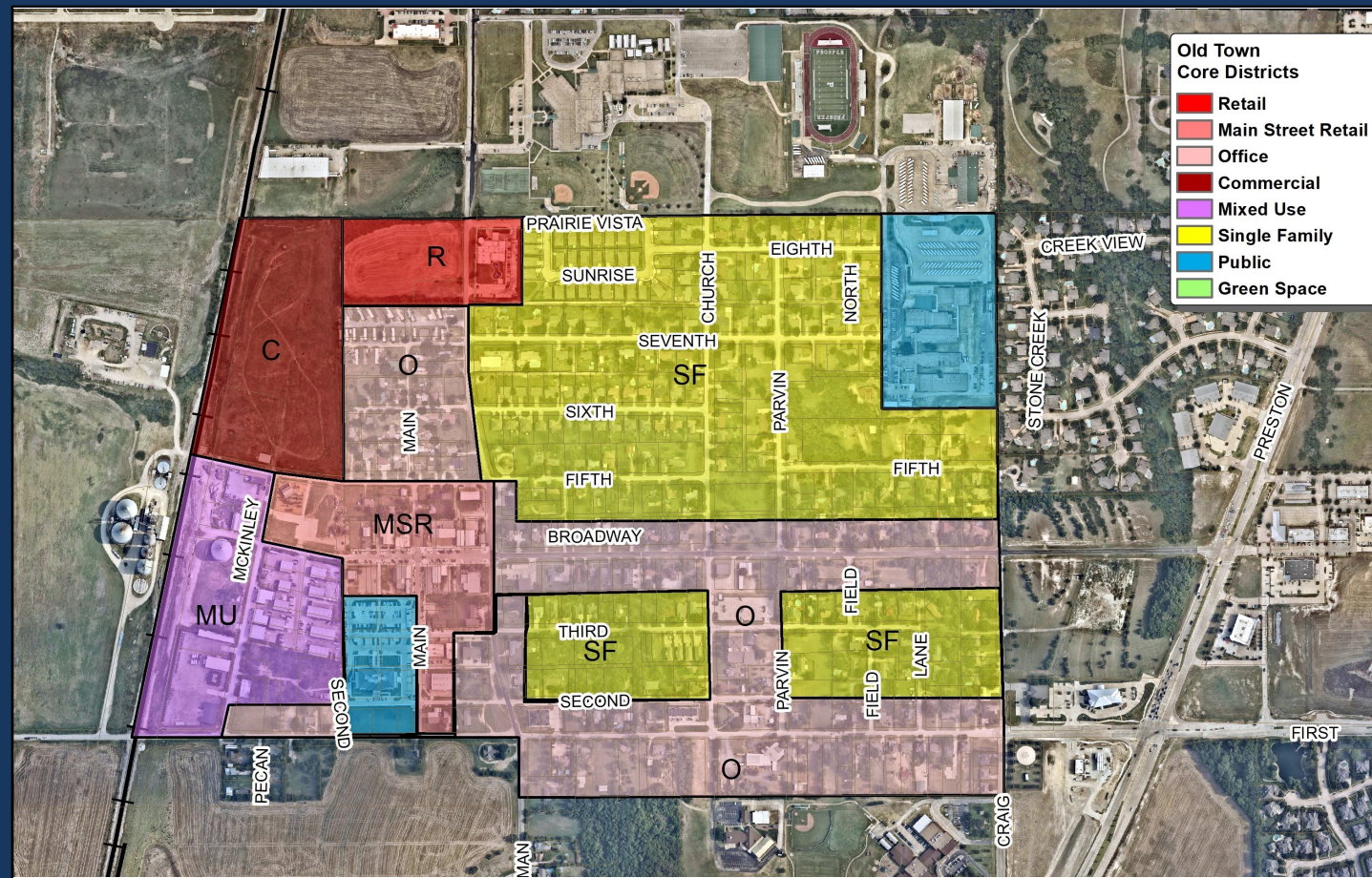
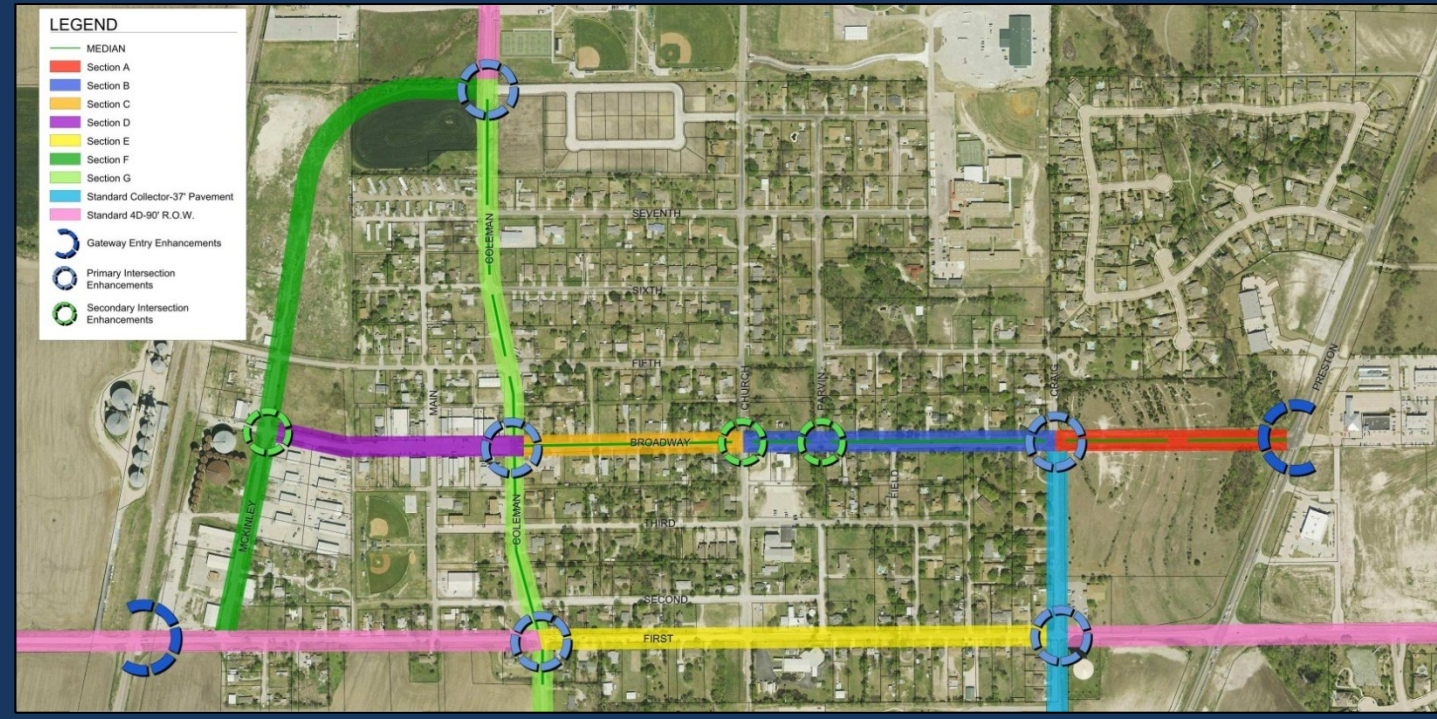
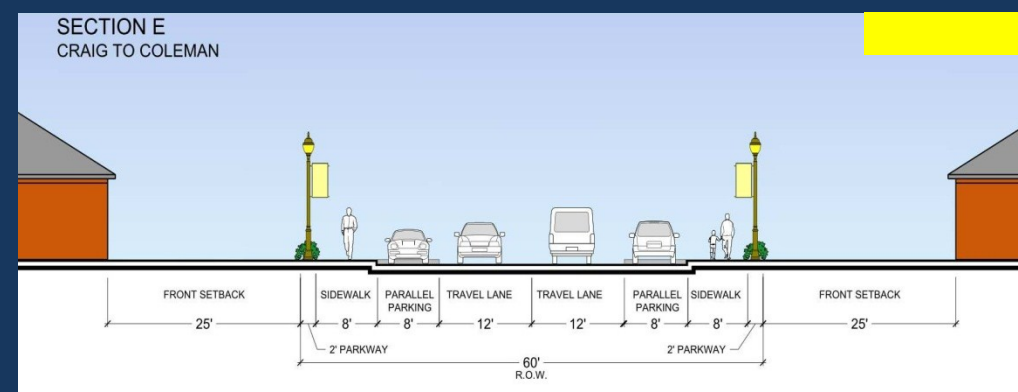
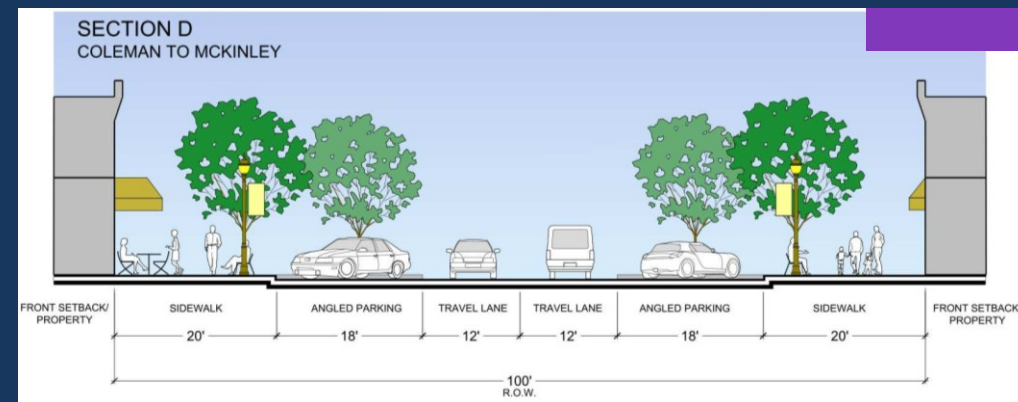
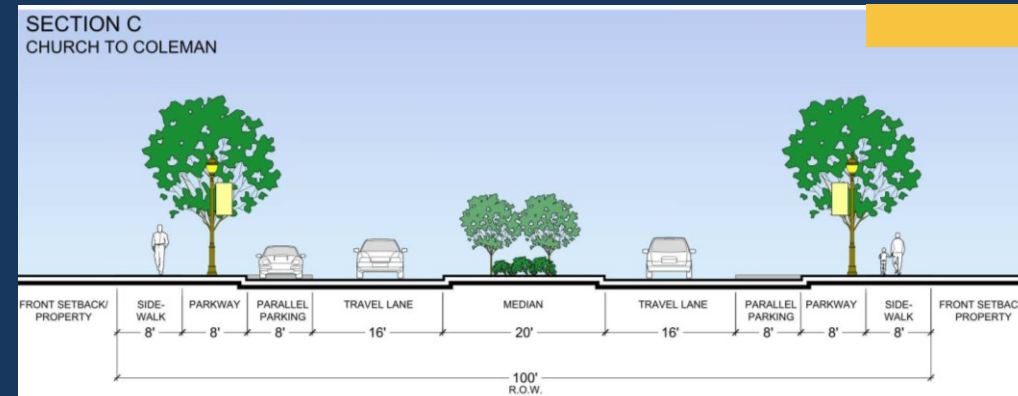
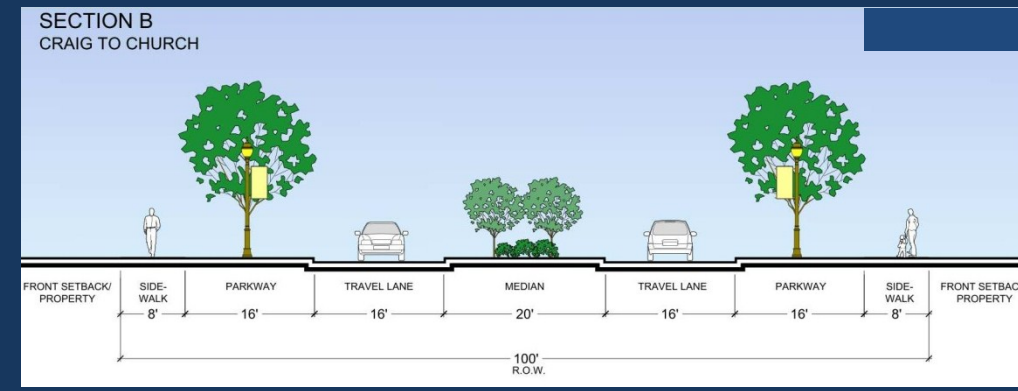
**Section C:** Two lane divided boulevard with a large center median containing landscaping. On-street parallel parking is permitted and a landscaped parkway separates pedestrians from traffic.

**Section D:** Two lane undivided urban roadway. Wide 20' sidewalks accommodate patio seating, pedestrian traffic and street trees. On-street angled parking is permitted and bulb-outs are located at intersections to enhance pedestrian visibility at crosswalks.

**Section E:** Two lane undivided roadway with on-street parallel parking and an immediately adjacent 8' sidewalk. A large private setback of 25' is included.

**Section F:** Two lane undivided roadway with on-street parallel parking and a 15' sidewalk. 10' of the sidewalk will be located within the right-of-way and the additional 5 feet will be a 5' setback to building face.

**Section G:** Two lane divided roadway with a center median containing landscaping. On-street parallel parking and a 10' sidewalk are included.



**Land Use**  
The predominant land use within Old Town will be **single-family** residential. All infill development within such areas should conform to the architectural guidelines established for the Old Town district. Such guidelines are created to protect the continuity of look and feel within Old Town.

Along Broadway and First Street, single-family uses will gradually transition to boutique, cottage-style **office** and/or specialty retail uses. Broadway west of Coleman, will be the retail core of the downtown.

Shops, restaurants, and small office uses may be located within the **main street retail** area. This area is intended to be the heart and main activity center of the Old Town Area. As redevelopment occurs, building frontages should be brought to the property line to be consistent with ultimate streetscape improvements.

Adjacent to the retail core, a **mixed-use** district incorporating mixed use lofts/apartments will serve as a buffer between the Business Park and the core of Old Town. This area will also provide rooftops that service adjacent retail establishments.

**Niche retail** is recommended along Preston Road and at the northern end of Coleman. Retail development within these areas should fit within the architectural framework of the Old Town area. Setbacks should be reduced, when possible, along Coleman and Broadway to frame the roadways.

# COMMUNITY CHARACTER

## Image Enhancement

Prosper is a unique community. Many who have moved to the Town express their diverse reasons for relocating to Prosper. Reasons include its excellent school system, its wide open spaces, its large lot homes, its friendly neighbors and rural setting with access to the Town, among others. This section seeks to define some of those attributes and using these attributes to establish a recognizable image for the community’s built environment.



## Branding

Community branding is the concept of establishing an identity and then working to ensure that the desired identity is reflected and portrayed in the built environment. In Prosper, residents have clearly identified that the rural, open spaces of the community are a defining feature of Prosper, particularly defining when compared with other North Dallas suburbs such as Frisco, Plano, McKinney and Little Elm.

Residents identified that a common perception and image of Prosper to outsiders is an upscale, rural community with open spaces and large-lot homes. Despite the current availability of open spaces and agricultural land, the Town will continue to grow and develop. As the community grows, however, development standards may reflect certain architectural characteristics that may be unique to Prosper, helping to visually distinguish the Town from adjacent communities, particularly its retail centers. Additionally, setbacks and landscaping may be used along major corridors to create a more rural atmosphere, even as the Town develops. Large setbacks and medians may be heavily landscaped with trees, shrubs and other natural elements. As trees grow and mature, the presence of a dense tree canopy will help to create a more natural feel within the community. Additionally, the Town may reduce the amount of internal lighting to mitigate light pollution and enhance dark skies, further enhancing the rural feel.



The Town’s extensive Parks Plan, as it is implemented, will also significantly help to create and preserve open spaces and will contribute significantly to the Town’s quality of life by providing outdoor recreational opportunities.



As development occurs, all new development should not only meet the development standards of the community, but should also be analyzed based upon how they will contribute to the image and branding of the community based upon Prosper’s vision, goals and values.

## COMMUNITY CHARACTER

### Gateways

The visual monotony that is often inherent to communities within a particular geographic area makes it appear that each one is just like its neighbors. For example, the visual appearance of a community to a traveler along the Dallas North Tollway may be very similar to the appearance of any other nearby community. This lack of design variety, especially along major corridors, tends to create anonymity, and it becomes difficult for people to know when they have left one community and entered another. Gateways can provide a strong sense of arrival to, as well as a sense of departure from, the community. These features are the first thing visitors see when they arrive and the last impression visitors have when they leave.

The design of gateways into the Town of Prosper should be guided by several factors. One of the most obvious factors is the number of people using a particular entry point. The most heavily traveled roadway entering the community will be the Dallas North Tollway. Although it may be difficult to create an aesthetically-pleasing gateway visible from the highway, the bridges and the frontage roads are alternate options. Improved overpasses with decorative rails, landscaping, lighting, and possibly signage are possibilities. In addition, two entry features for the Town placed directly along the Dallas North Tollway frontage roads, both leading into and out of the community (i.e., at the northern and southern corporate limits) would be a positive step in creating a visual identity once the Tollway is constructed. Gateways could include the use of signage, landscaping, and other design elements such as lighting, fencing, paving patterns, art/sculptural elements, a variety of earth forms, or other identifier that signifies arrival into the Town.

Another important factor in the design of gateways is to develop an entryway that provides a sense of identity for the community while projecting a desirable image for the Town.

For example, the windmill is a component of the Prosper logo and may be used as a component of Town gateways, if so desired by the community. The windmill feature is a strong representation of who Prosper is –it identifies the Town’s humble beginnings as a small agrarian town and also highlights and reflects many of the Town’s values such as large lots, open spaces and rural, small town feel. Consideration should be given to establishing a uniform design concept for all gateway areas, and hierarchical distinction between major and minor gateways can be achieved through design modification for each type of entry feature. Minor gateways could be specific to the individual neighborhood, reflecting the distinct character of each area.

Design of entry features should take into consideration the setting in which each feature will be placed. Although an entry feature might ideally be placed at the corner of a roadway intersection which is at, or near, the true Town limits, the design of the feature might conflict either visually or aesthetically with an adjacent retail use at the intersection. In such a situation, it may be prudent to move the entry feature further into the community to provide a better setting and better visibility, such as placing it upon the thoroughfare median, if there is one. The traffic speed at which an entry feature is viewed must also be taken into account, and the size, boldness and scale of the feature should be designed accordingly.

It is important for the Town of Prosper to assert its differing qualities to distinguish itself from the surrounding communities. Gateway features are a simple first step in this direction. Priority for funding entry features, both in terms of total dollars spent per entry and in terms of the timing of expenditures, should be directly related to the number of people using a particular entry point. Often, donations can be solicited from civic groups to assist in the funding of specific gateways and/or their maintenance (e.g., an "adopt a gateway" program).



# COMMUNITY CHARACTER



Prosper may desire to use the windmill as a design element within its future gateways. The windmill is a symbol that is reflective of the Town’s history and past and is currently a component of the Town’s logo. The design of the Town’s gateways should be consistent in theme and should help to identify Prosper to visitors as well as welcome residents home.

Gateway size and design should consider traffic, traffic speeds land use context. In Prosper, primary gateways will be located along the Dallas North Tollway, Highway 380, Preston Road and the “corners” along the Town’s perimeters. Secondary gateways may be located along Coit, Legacy, Teel, Lovers Lane, Gee and other minor entrances into Prosper.



## COMMUNITY CHARACTER

### Maintaining compatibility between the Zoning Map and the Future Land Use Plan

Chapter 211 of the Texas Local Government Code states that “zoning regulations must be adopted in accordance with a comprehensive plan.” Consequently, a zoning map and zoning decisions should reflect the Future Land Use Plan to the fullest extent possible. Therefore, approval of development proposals that are inconsistent with the Future Land Use Plan will often result in inconsistency between the Future Land Use Plan and the zoning regulations.

At times, the Town will likely encounter development proposals that do not directly reflect the purpose and intent of the land use pattern as shown on the Future Land Use Plan map. Review of such development proposals should include the following considerations:

- Will the proposed change enhance the site and the surrounding area?
- Is the proposed change a better use than that originally envisioned and depicted on the Future Land Use Plan map?
- Will the proposed use impact adjacent residential areas in a negative manner?
- Will the proposed use be compatible with and/or enhance adjacent residential uses?
- Are uses adjacent to the proposed use similar in nature in terms of

appearance, hours of operation, and other general aspects of compatibility?

- Does the proposed use present a significant benefit to the public health, safety, welfare and/or social well-being of the community?
- Would it contribute to the Town’s long-term economic stability?

Development proposals that are inconsistent with the Future Land Use Plan map (or that do not meet its general intent) should be reviewed based upon the above questions and should be evaluated on their own merit. It should be incumbent upon the applicant making such a proposal to provide evidence that the proposal meets the aforementioned considerations, supports community goals and objectives as set forth within this Plan, and represents long term economic and/or social benefits for the community as a whole, not just a short-term financial gain for whoever is developing the project.

It is important to recognize that proposals not directly consistent with the Plan could reflect higher and better long-term uses than those originally envisioned and shown on the Future Land Use Plan map for a particular area. This may be due to changing markets, demographics and/or economic trends that occur at some point in the future after the Plan is adopted. If such changes occur, and especially if there are demonstrated significant social and/or economic benefits to the Town of Prosper, then these proposals should be approved and the Future Land Use Plan map should be amended accordingly.



# TRANSPORTATION

## TRANSPORTATION PLAN

The thoroughfare system forms one of the most visible and permanent elements of a community. It establishes the framework for community growth and development and, along with the Future Land Use Plan, forms a long-range statement of public policy. As the alignment and right-of-way of major transportation facilities are established and adjacent property developed, it is difficult to facilitate system changes without significant financial impacts. However, by incorporating programmed land uses and densities of the Future Land Use Plan, strategies can be developed that maximize the land use/transportation relationship.

Several key principles were recognized in the preparation of Plan recommendations and included the following:

- Prosper should have safe and convenient internal circulation between neighborhoods, core community assets, and special areas.
- Transportation facilities should define rather than split residential areas in order to preserve neighborhood integrity. Through traffic should be routed to specific facilities designed to accommodate non-local and regional traffic.
- A sidewalk and trail system connecting Prosper’s amenities and parks with neighborhoods should be available.
- Key corridors and gateways should include enhanced landscaping to promote image/identity.
- Monitor regional growth implications in order to proactively address mobility and accessibility issues to/from the Town.



# TRANSPORTATION

## Planning Context

### 2010 Thoroughfare Plan

Updated in July 2010, the Prosper Thoroughfare Plan established a traditional grid network of streets with connectivity of major roadways to key streets in adjacent communities. Key to this plan is the identification of strategic corridors for accommodating local and long-term regional travel demand. As regional growth is rapidly moving northward through Collin County, several key roadway facilities have been identified for accommodating future cross-town movement while others are aimed at accommodating localized traffic.

Key north-south and east-west roadways (up to six-lane) include Dallas North Tollway (DNT), Preston Road (SH 289), Custer, Coit, Legacy, Teel, FM1385/Gee Road, Highway 380 and FM 1464 Frontier Parkway/Parvin Road. Several other east-west roadways are aimed at accommodating localized traffic on smaller sized streets (up to four-lane divided) and include Prosper Trail, First Street/Fishtrap, and Lovers Lane.

The Plan also established special roadway considerations for Old Town, Town Center area, backage roads along DNT and portions of Highway 380.

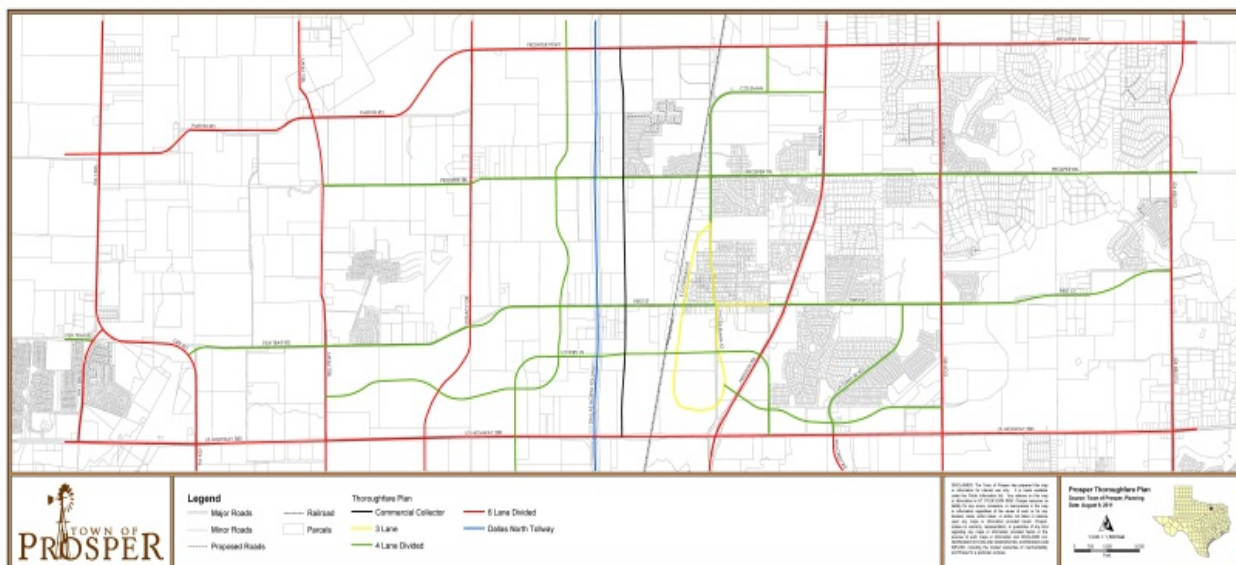
### 2010 Prosper Thoroughfare Plan

The roadway network established in the 2010 Thoroughfare Plan is a departure from the “modified hub and spoke” concept established as part of the 2004 Comprehensive Plan. That concept was aimed at localizing traffic from within the community to desired hubs of development situated within the Town. While not dissimilar in nature to the grid network, the plan also included an internal loop road, couplet streets and connection points for development support along DNT.

### Other Planning Initiatives

#### NCTCOG Planning

The Regional Thoroughfare Plan (RTP) and the Metropolitan Transportation Plan (MTP) are both important to consider when making decisions locally. Coordination of planning efforts may help accelerate funding sources and ultimately help to ensure that roadways at a regional level are functional and compatible. The North Central Texas Council of Governments (NCTCOG) is responsible for creating both the RTP and the MTP—both are directly related to the ability of the region to compete nationally for federal transportation funds. It is important that the Town monitor both the RTP and the MTP and communicate any changes in order to ensure that plans within Prosper are understood by other agencies and reflected accordingly.



# TRANSPORTATION

## Collin County Transportation Plan

In 1999, Collin County adopted the first Transportation Mobility Plan aimed at coordinating regional roadway improvements among the various municipalities and agencies to address long-term County growth needs and capital improvements planning. Subsequently updated in 2003 and 2007, Collin County updated the mobility plan in 2014 to identify and coordinate the transportation needs of our growing population.

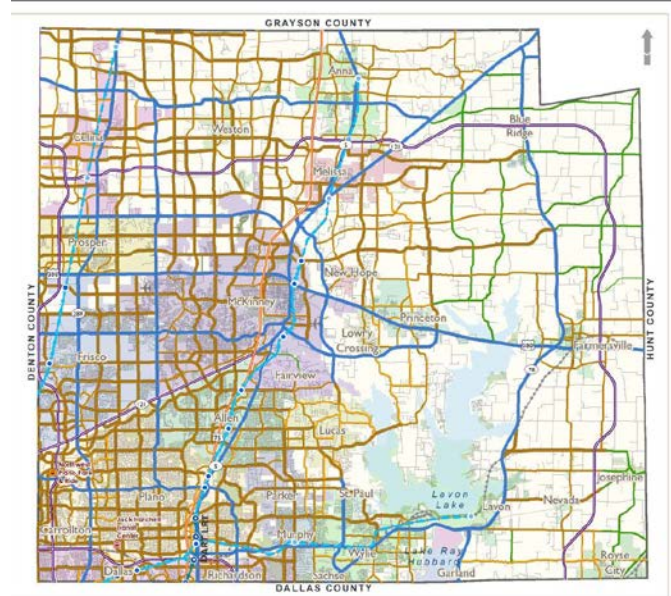
Within the Town, the 2014 County Plan contains some differences relative to the Prosper Thoroughfare Plan including:

- Prosper Trail as a six-lane divided (Plan has four lanes);and
- First Street as a six-lane divided (Plan has four lanes);

The Thoroughfare Plan and Future Land Use Plan for Prosper where provided to the County Planners for inclusion and consideration in the 2014 mobility plan.

The County Plan also contains the northeastern section of the planned Dallas-Ft. Worth Regional Outer Loop. Currently, only a portion of this corridor, from Dallas North Tollway to SH 5, remains in the NCTCOG *Metropolitan Transportation Plan: Mobility 2035* as viable due to financial funding constraints. While not a direct impact to Prosper, a long-term benefit of this improvement is the potential reduction in north/south travel on surface streets in favor of highway access on the DNT.

## 2014 Collin County Transportation Plan



**COLLIN COUNTY MOBILITY PLAN THOROUGHFARE AND TRANSIT PLAN**

|  |   |   |
|--|---|---|
| <span style="color: blue;">●</span> Existing           | <span style="color: orange;">—</span> Freeway                         | <span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span> County Line    |
| <span style="color: blue;">○</span> For Future Study   | <span style="color: purple;">—</span> Tollway                         | <span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span> Airport        |
| <span style="color: blue;">■</span> Previously Studied | <span style="color: blue;">—</span> Principal Arterial 6 Lane Divided | <span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span> Railroad       |
| <span style="color: orange;">■</span> Park & Ride      | <span style="color: blue;">—</span> Principal Arterial 4 Lane Divided | <span style="background-color: green; display: inline-block; width: 10px; height: 10px;"></span> Park           |
| <span style="color: red;">■</span> Transit Center      | <span style="color: orange;">—</span> Major Arterial 6 Lane Divided   | <span style="background-color: lightblue; display: inline-block; width: 10px; height: 10px;"></span> Water Body |

### Area Transportation Service

A topic identified early in the planning process was a desire to provide shuttle service for seniors within Prosper. Collin County Area Regional Transit (CCART) currently provides transit services in Collin County, including on-call/demand response. This service provided by the County can be utilized by seniors, or other Town residents, when there is a need for transportation assistance.



## TRANSPORTATION

### **Highway Improvements**

The following summarizes planned and completed improvements to key highway corridors:

- **Preston Road (SH 289) Overpass at Highway 380:** Construction of a six-lane divided overpass began in early 2011 and was completed at the end of 2012.
- **Preston Road (SH 289):** Preston Road was expanded from two to six-lane divided roadway between US Highway 380 and FM1461/Frontier Parkway. Construction began in March 2012 and was completed in August 2014. All major crossings with Preston are at-grade.
- **US Highway 380:** TXDOT has completed design plans to expand this facility from 4/5 lanes to six-lanes between Custer Road FM 1385. Construction from Custer Road to the Collin county/Denton County Line began in September 2014. The roadway section both east of Preston and west of DNT overpasses at Preston, BNSF RR, and Dallas North Tollway (DNT). The frontage roads intersect with frontage roads of DNT and Preston similar to the SH 121/DNT/Preston interchange (three level interchange). The construction was complete in March 2019. Construction from the Collin County/Denton County Line is anticipated to begin in Spring 2021, and be complete in Spring 2024. Overpasses are planned at Legacy Drive, Teel Parkway, and FM 423/Gee Road. TxDOT is currently performing feasibility studies on US 380 becoming a Controlled Access Freeway in the future.
- **Dallas North Tollway (DNT):** Collin County completed the construction of the southbound frontage road from US 380 to FM 428 in January 2020. The North Texas Tollway Authority (NTTA) has plans to complete the construction of the main lanes overpass at US Highway 380 in Spring 2023, and the extension of the main lanes from US Highway 380 to FM 428 in Spring 2026. Grade separations in the Town of

Prosper are planned at Lovers Lane, First Street, Prosper Trail and Frontier Parkway.

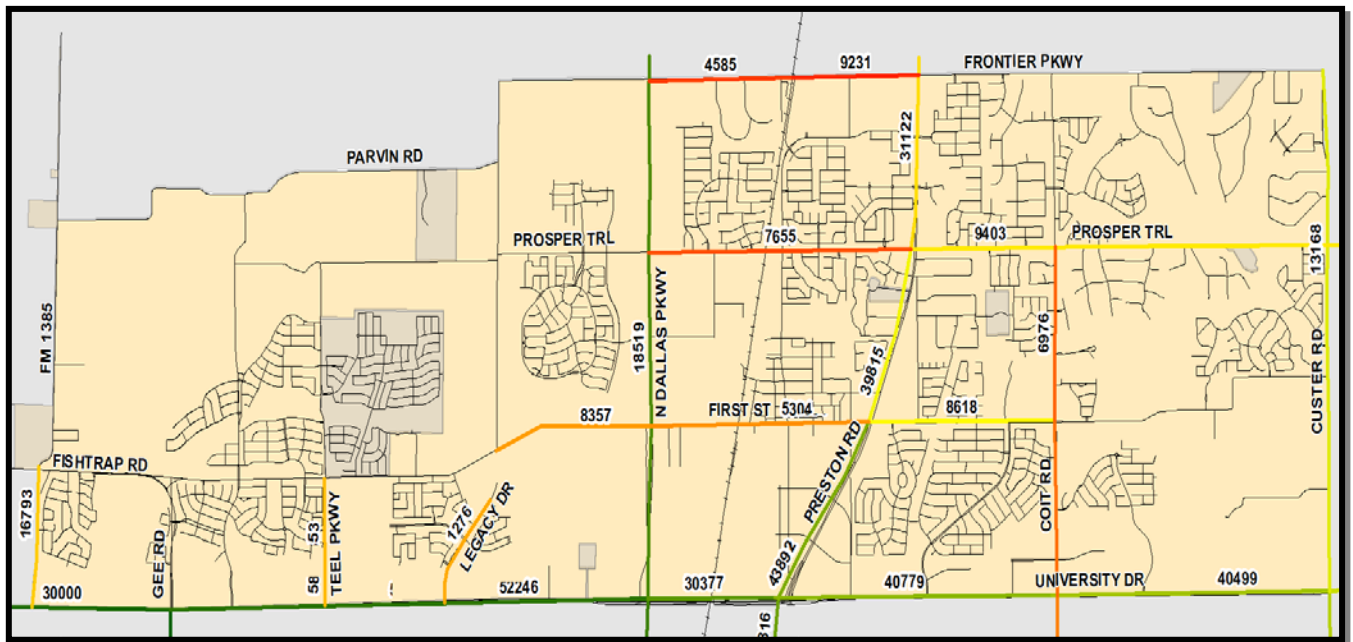
- **Custer Road (FM 2478):** TxDOT has completed design plans to expand this facility from two lanes to four lanes between US Highway 380 and Frontier Parkway (FM 1461). Construction is anticipated to begin in Fall 2020, and be complete in Fall 2022.
- **Frontier Parkway (FM 1461):** TxDOT is designing plans to expand this facility from two lanes to four lanes between Preston Road (SH 289) and CR 166. Construction is anticipated to begin Winter 2023-2024, and be complete in Fall 2026.
- **FM 1385:** TxDOT is designing plans to expand this facility from two lanes to six lanes between US Highway 380 and FM 455. There is currently no timeline established for construction.



# TRANSPORTATION

## 2019 Conditions

The Economic Development Corporation conducts traffic counts annually for road segments in Prosper. The map below shows the total traffic counts collected, during 2019, for each street segment. The traffic counts are generally collected in April during the school year at the major intersections that enter, exit or pass through Prosper. Each year the EDC department in conjunction with Town staff evaluate the list of intersections that will be measured and determine if additional roadways need to be evaluated.



# TRANSPORTATION

## Regional Rail

In 2005, NCTCOG initially examined the feasibility of long-term regional rail service to various areas of the Metroplex. Within the Prosper area, analysis of regional rail extended only through Frisco. The Frisco Line, a 34.3 mile line extending from Irving to just south of Highway 380 in Frisco, was considered in the study. Evaluations considered long-term population and employment growth, existing rail corridors and compatibility with other freight operations, projected rider-ship, capital and operations/maintenance costs, system connectivity, among others in the analysis. A potential station location within Prosper is the BNSF Railroad at First Street within the Old Town district.

The analysis concluded with a rider-ship forecast of 1,000 to 3,000 persons daily at the far northern end of the line in Frisco, and was initially recommended for inclusion to Mobility 2030 as a corridor for further evaluation. While no funding has been identified at this time, this line has been recommended for long-term consideration in *Mobility 2035*.

*Mobility 2035* has also identified the consideration of this rail line through Prosper to the northern county limit as a “corridor for future evaluation”.



# TRANSPORTATION

## 2010 Conditions

An analysis of existing traffic volume was conducted to identify travel patterns and serve as a basis for identifying roadway needs. Traffic volume data collected in April 2010 as part of the roadway impact fee system update was used to conduct a level of service analysis. Data collected as part of that study effort contained PM peak hour directional volume—roadway capacity values based on roadway functional class and existing street cross-section.

“Level of service” refers to the operation condition of a roadway segment under traffic demand and is a calculation of volume to capacity. Level of service is gauged with a measure of “A” through “F”, with “A” reflecting roadways with free flow and little or no congestion, and “F” reflecting roadways with severe congestion. The analysis revealed that the majority of roadways in Prosper appear to be operating at acceptable levels of service (A/B/C). The exceptions were Highway 380, Preston Road and portions of Coit and Custer Road north of Highway 380 during the peak hour—these segments were calculated to operate at or below acceptable levels of service (LOS D and E/F). Planned expansion to Highway

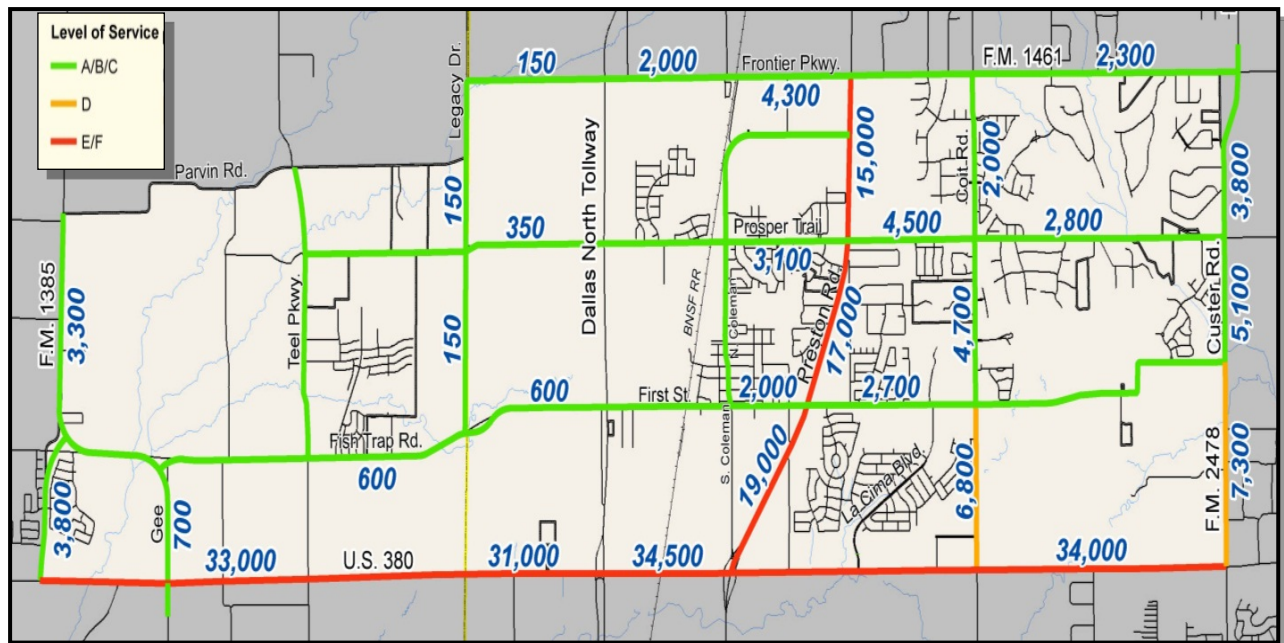
380 and Preston should alleviate traffic demands currently experienced. While peak volumes are relatively low on Coit and Custer Roads, the narrow roadway sections contribute to the reduction in operational service.

## Projected Conditions

The assessment of projected travel conditions on the thoroughfare network is important to determining the capability of the roadway system to accommodate projected area growth and roadway needs for a 20-year planning period.

Two approaches were used to assess projected travel demand conditions for a 20-year horizon. The first approach involved review of travel model forecasts prepared by NCTCOG as part of *Mobility 2035*. The second approach involved development of travel demand characteristics based on remaining developable land within Prosper and then assignment of projected growth on this remaining developable land to the adjacent road network to yield roadway needs.

2010 Traffic Volume and Level of Service Analysis



## TRANSPORTATION

### Projected Traffic Conditions

The Thoroughfare Plan network was compared to travel forecasts prepared by NCTCOG in order to assess its ability to accommodate traffic from future land uses within the Town. Regional travel forecast data from *Mobility 2035: The Metropolitan Transportation Plan for North Central Texas* was used as a basis for the comparison. This sophisticated model forecasts traffic demand on the regional transportation network relative to projected population and employment growth for year 2035.

Projected 2035 traffic volumes for key roadways include:

- Preston Road – 53,000
- Highway 380 – 65,000
- Custer Road – 36,000
- Coit Road – 7,000
- Frontier Parkway – 20,000
- FM 1385—34,000

It is important to note that assumptions are made with respect to the amount of roadway network in place for Year 2035. For example, with Coit Road not included to its ultimate configuration (6-lane), travel demand shifts occur to roadways offering availability of higher capacity. This partly explains the higher volumes that resulted on Preston Road. With Coit Road fully in place, localized traffic would shift from away Preston Road.

Under the Mobility 2035 forecast (and network assumptions contained within), all roads within Prosper are forecasted to operate at acceptable levels-of-service with the exception of Preston Road and Highway 380, which is anticipated to experience very high travel demand.

### Thoroughfare Plan Compatibility

A screen line analysis was conducted to compare projected volume relative to capacity provided by the Thoroughfare Plan network at its ultimate configuration. Separate screens were used to segregate north-south from east-west demand, as well as demands east and west of the Dallas North Tollway. Adjustments were made for factor up travel demands commensurate with a population of 60,000 within Prosper in 2035, based upon the 8% growth projection.

The analysis revealed the Thoroughfare Plan to have sufficient capacity at ultimate configuration to accommodate projected demands at year 2035. A sensitivity analysis was then conducted to assess network impacts with select roadways not to full buildout. Specifically, the north-south thoroughfares of Teel Parkway, Legacy Drive, and Coit Road were evaluated under a 4-lane scenario (all other Major Thoroughfares to 6-lane). The analysis revealed sufficient capacity of the network to be available at 2035. While ultimately, these specific roadways may need to be built to six lanes, a phased approach to facility implementation could be undertaken.



# TRANSPORTATION

## Planning Principles

Prosper’s Thoroughfare Plan is built upon traditional thoroughfare planning concepts, which focuses on a functional roadway network providing mobility and accessibility to vehicular traffic. In order to address the community’s goals of providing multi-modal options to residents, such as sidewalks and trails for walking and biking, it will be important to incorporate the trail system from the recently completed Parks Plan. Together, these components offer a range of mode choices from which residents move about the community.

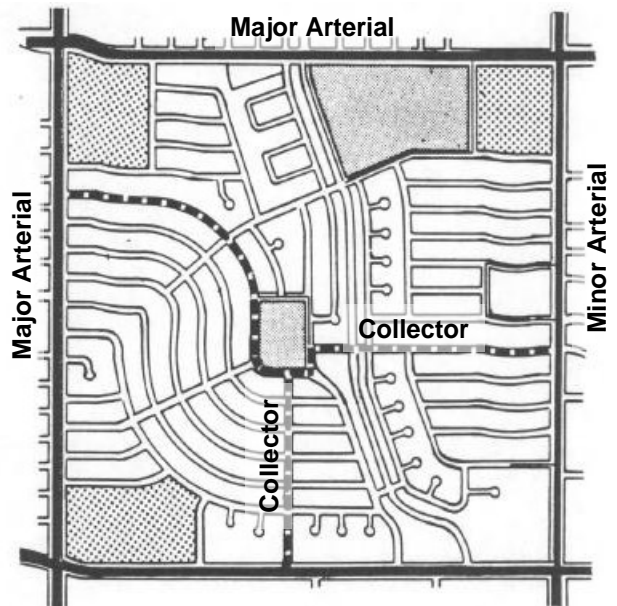
## Functional Street Classification

Functional street classification recognizes that streets are part of a system having diverse origins and destinations. Functional classifications also describe and reflect a set of characteristics common to all roadways within each class. Functions range from providing mobility for through traffic and major traffic flows, to providing access to specific properties. Characteristics unique to each classification include the degree of continuity, general capacity, and traffic control characteristics.

In short, the functional classification of streets provides for the circulation of traffic in a hierarchy of movement from one classification to the next. Functional classes can be subdivided further into major and minor designations to further detail their role in the community.

Access and movement functions are directly related in that as uninhibited movement increases (speed), points of access decrease and vice versa. This is typically why freeways, with a high level of movement, have limited access points where as streets in neighborhood areas have more access points and reduced speed. Prosper’s current Thoroughfare Plan recognizes four general classifications for roadways based upon a hierarchical function and include:

- Major Thoroughfare: 6-lane divided roadway within 120’ ROW. These streets are designed to provide a high degree of mobility, service relatively high traffic volumes, have high operational speeds, and service a significant portion of through travel.
- Minor Thoroughfare: 4-lane divided roadway with a similar function to the Major Thoroughfare, but more local in nature. The urban section is a curbed roadway within 90’ROW.
- Commercial Collector: 2 and 3-lane undivided roadway serving as connections between arterials and local streets. The 2-lane section consists of 36’ of pavement within a 60’ROW. This section is also aimed at serving residential applications. The 3-lane section contains a continuous left-turn bay and on-street parking within a 60’ROW and is used for handling commercial applications.
- Neighborhood Street: 2-lane streets for accommodating neighborhood traffic. An urban and rural section are both contained within a 50’ ROW. The urban section is curbed with 31’ of pavement and the rural section contains 27’ of pavement.



TRANSPORTATION

Figure 7: Functional Street Classifications

| Type of Roadway       | Function   | Spacing (Miles)        | Direct Land Access   | Roadway Intersection Spacing <sup>(3)</sup> | Volume Ranges (Veh./Day) | Speed Limit (MPH) | Parking   | Comments   |
|-----------------------|--|------------------------|--|---|--------------------------|-------------------|-----------|--|
| Highway/<br>Tollway   | Traffic Movement;<br>long distance travel.   | 1-5                    | Provided by on/off ramping schematics to continuous frontage roads.                        | 1 mile                                      | 45,000 to 125,000        | 55-70             | None      | Supplements capacity of arterial street system and provides high speed mobility. |
| Major Thoroughfare    | Moderate distance inter-community, intra-metro area, traffic movement. Serves long trip lengths.   | ½ - 1 ½ <sup>(2)</sup> | Restricted – some movements may be prohibited; number and spacing of driveways controlled. | ¼ mile                                      | 36,000 to 45,000         | 40-55             |           | “Backbone” of the street system.   |
| Minor Thoroughfare    | Mobility function is primary; access function is secondary. Serves moderate trip lengths.  |                        | May be limited to major generators; number and spacing of driveways controlled.            | ⅛ mile                                      | 20,000 to 28,000         | 30-45             |           | Provides route and spacing continuity with major arterials.                      |
| Commercial Collector  | Primary – collect / distribute traffic between local streets and arterial system. Serves commercial/ mixed use development; inter-neighborhood traffic movement. | ¼ - ½ <sup>(2)</sup>   | Safety controls; limited regulation.   | 300 feet                                    | 12,000 to 18,000         | 30-40             | Permitted | Through traffic should be discouraged.   |
| Residential Collector | Primary – internal to one neighborhood; serves short trip lengths. Provides land access.   |                        |  | 300 feet                                    | 6,000 to 12,000          | 30-35             | Permitted |  |
| Neighborhood Street   | Land access.   | 2 lot lengths          | Safety control only.   | 125 feet                                    | 200 to 1,500             | 25-30             | Permitted |  |

(1) Spacing determination should also include consideration of (travel within the area or corridor based upon) ultimate anticipated development.

(2) Denser spacing needed for commercial and high-density residential districts.

(3) Spacing and intersection design should be in accordance with state and local thoroughfare standards.



# TRANSPORTATION

## Access Coordination

Flow of traffic is typically a major concern for most communities. The ability to move traffic efficiently along a corridor with minimal interference from traffic turning off and onto intersecting driveways/streets is a major benefit to motorists. Ideally, traffic should be able to avoid unnecessary “stop-and-go” traffic due to the abundance of intersecting driveways/ streets. While the implementation of deceleration lanes for streets and driveways on major and minor thoroughfares enhances capacity and accessibility, promotion of access management offers added benefits for the following reasons:

- 1) Reduces the number of ingress and egress points improving vehicular flow and reducing collisions;
- 2) Reduced driveways permit more landscaping frontage thereby enhancing roadway aesthetics; and
- 3) Reducing the number of driveways enhances the pedestrian experience by reducing pedestrian contact with turning traffic.

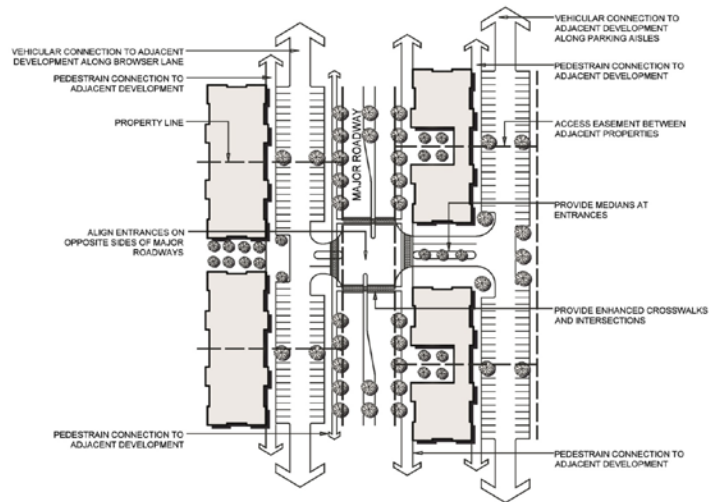
Along key corridors, the concept of access coordination can be extended from individual sites to address corridor-wide segments.

Master planning at a corridor scale enables:

- Coordination of transportation and land use planning/decision making;
- Allows for flexible and special area consideration to adjacent site development, special access and utilities coordination, and limits unnecessary connection points;
- Economic benefits, aesthetics and amenity considerations; and
- Promotes activity-based development centers, not strip retail.

In larger corridors, the implementation of backage roads further helps to support main road safety and operations, internal and external site accessibility, and quality development patterns and design.

## Shared Access and Cross Access



**Reducing the number of driveways enhances corridor landscaping and aesthetics**





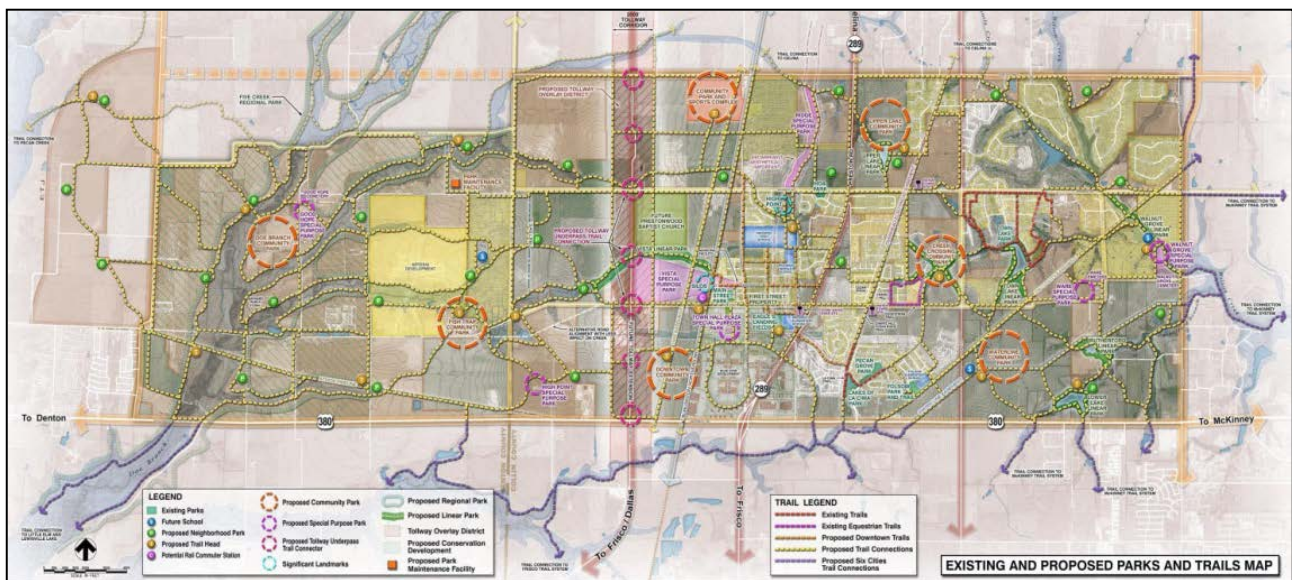
# TRANSPORTATION

## 2007 Parks, Recreation and Open Space Master Plan

A component in providing mobility choice is contained within the recently completed Parks Plan. The incorporated trail system is particularly important to mobility choice due to the connective nature that they serve from both within the community and the region—they may connect neighborhoods, schools, retail areas, recreational facilities and other core community or regional assets. Community trails are able to be utilized by residents for walking, jogging, biking and other recreational activities. Although intangible, trails have the ability to significantly improve the quality of life within the community by creating recreational options for residents and therefore serve a multitude of purposes beyond simply connectivity. It is important that elements of the Parks Plan be considered as new development occurs.

The completed Parks Plan incorporates trails along several major roadways within the Town such as along Prosper Trail, First Street and Preston Road. Reflecting these trail connections on the Thoroughfare Plan emphasizes the significance of these trail connections within the overall connectivity framework.

As roadway improvements coinciding with growth continue to occur, the Town should work to incorporate these roadway adjacent trail connections beginning with roadway planning and design.



**TOWN OF PROSPER – PARKS AND TRAILS MASTER PLAN**



Half Associates



# TRANSPORTATION

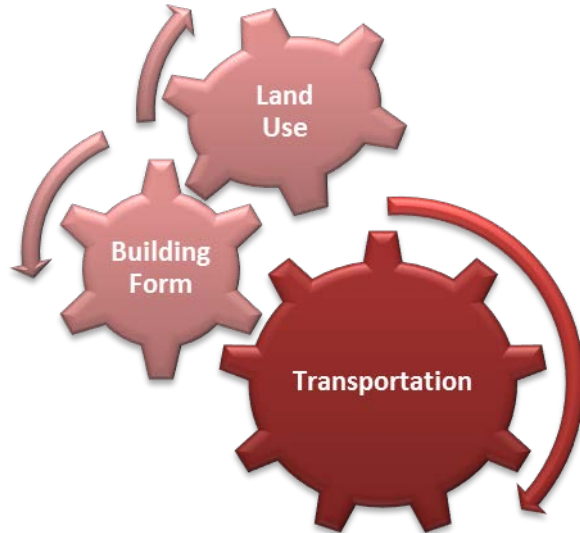
## Transportation Plan

The Transportation element of this Plan is intended to serve as a guide for transportation decisions within the Town. It was developed based upon past transportation planning efforts, connectivity efforts on key thoroughfares with adjacent communities and input from the CPAC, Town Staff and public input.

This Plan should be used as a reference when updating the Town’s Thoroughfare Plan, Thoroughfare and Circulation Design Standards and any related ordinances, and should be referred to when considering a wide range of decisions related to both transportation and land use. Transportation decisions do not exist within a vacuum, but are directly related to decisions regarding land use and building form. Therefore, the ultimate objective of this Plan is to create a balanced transportation system within Prosper which provides for the safe mobility of residents, considers both current and future needs, enhances connectivity and mobility options, and promotes a more livable community through a proactive approach to the Town’s appearance.

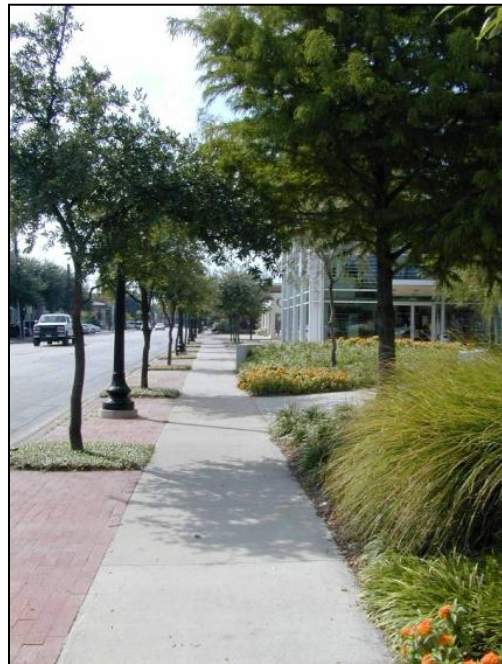
The Thoroughfare Plan is reflected in Plate 3 is for informational purposes and has not been prepared for and is not intended for legal, real estate, engineering, or surveying purposes. It does not represent on-the-ground survey. It is provided as a conceptual guide for transportation decisions within the Town related to general roadway alignments and classifications. The Town of Prosper does not assume any responsibilities or liability for any omissions, inaccuracies, or misinterpretations of the Thoroughfare Plan.

Street classifications were developed based upon a number of factors including the roadways regional significance, current or projected traffic volumes, and land use. It is important to note that although a roadway may



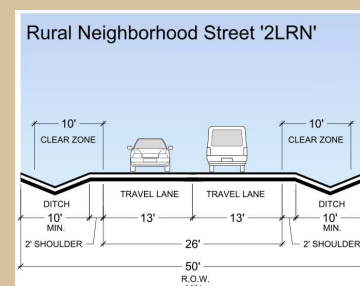
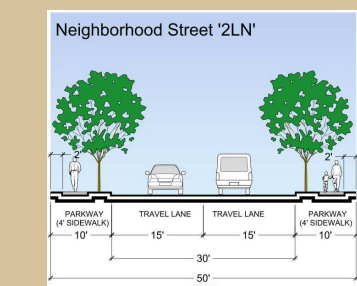
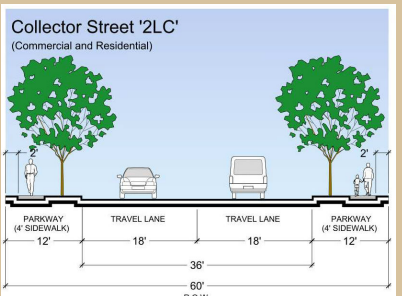
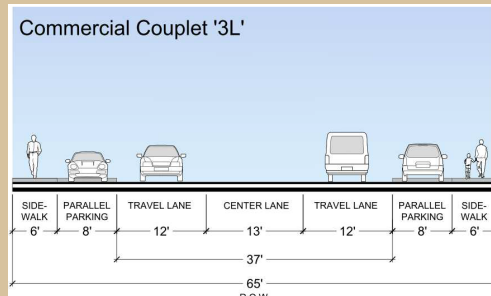
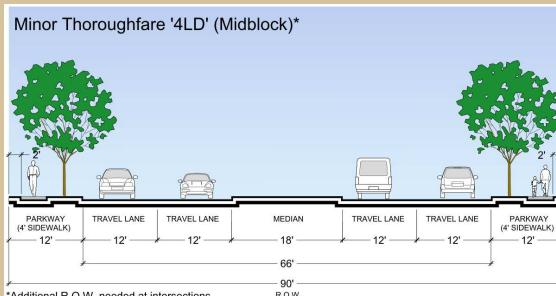
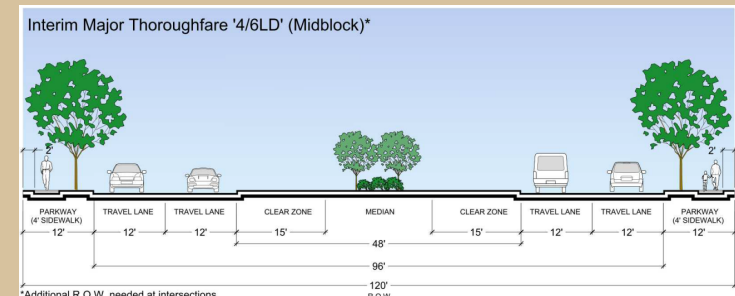
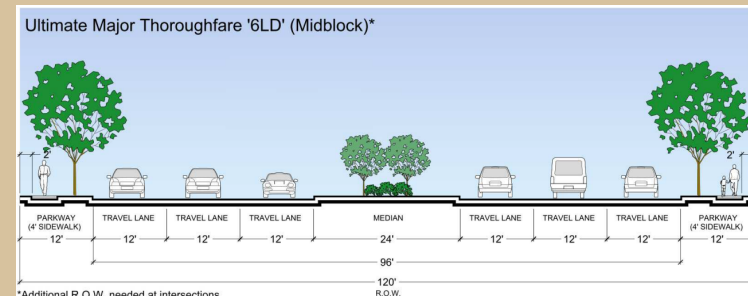
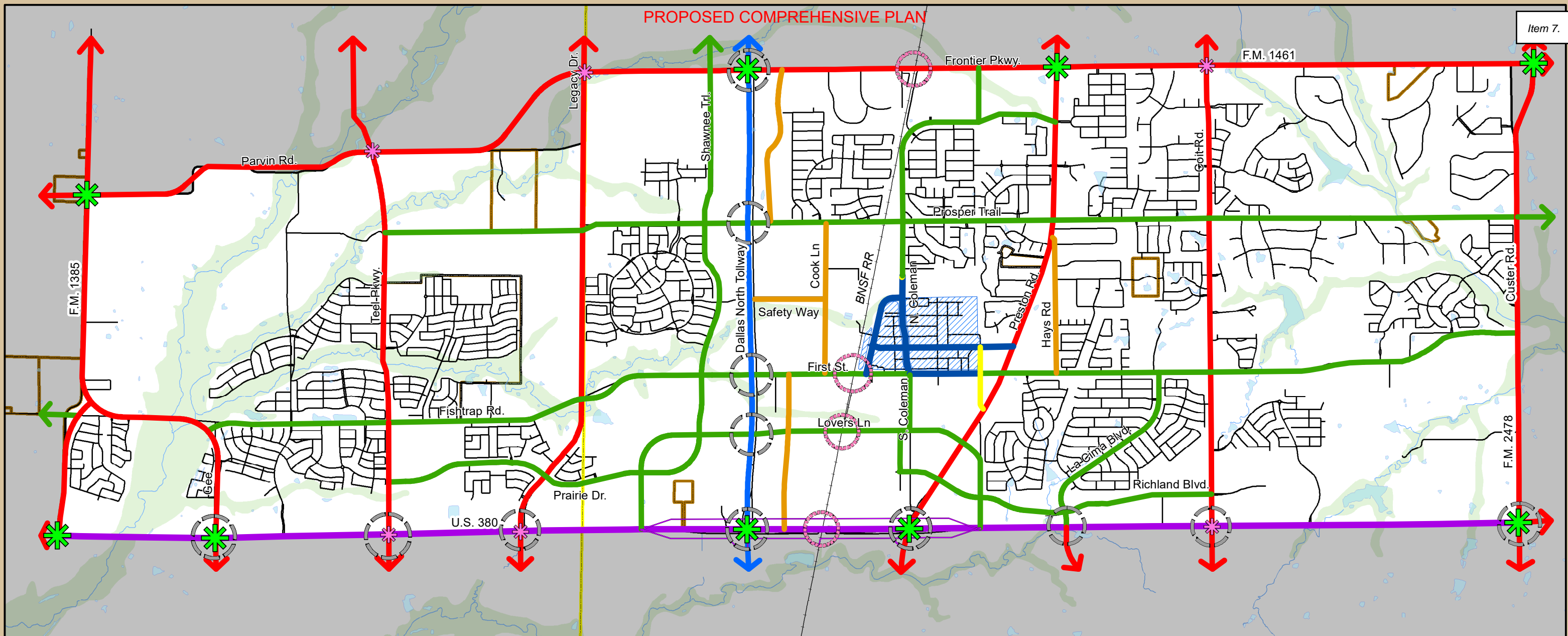
be identified as a Major Thoroughfare, the roadway design should not be rigid, but should consider a multitude of factors during its design including adjacent land use and context, among others.

### Example high-rated street design photos from the VCS



PROPOSED COMPREHENSIVE PLAN

Item 7.



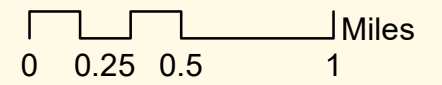
- Thoroughfare Description**
- █ Limited Access Roadway/Freeway (330' ROW)
  - █ Dallas North Tollway
  - █ Major Thoroughfare (6 lane; 120' ROW)
  - █ Minor Thoroughfare (4 lane; 90' ROW)
  - █ Commercial Couplet (3 lane; 65' ROW)
  - █ Commercial Collector (2 lane; 60' ROW)
  - █ Old Town District (Section Varies)
  - █ Access Roads

- Major Gateway
- Minor Gateway
- Grade Separation
- RR Grade Separation
- Town of Prosper
- ETJ
- 100 Year Floodplain

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**Plate 3**  
October 2020



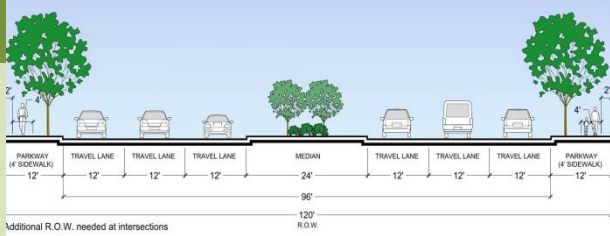
**Thoroughfare Plan**

\* Refer to Comprehensive Plan for Interim Development of Coit Road between Frontier Parkway and Prosper Trail.

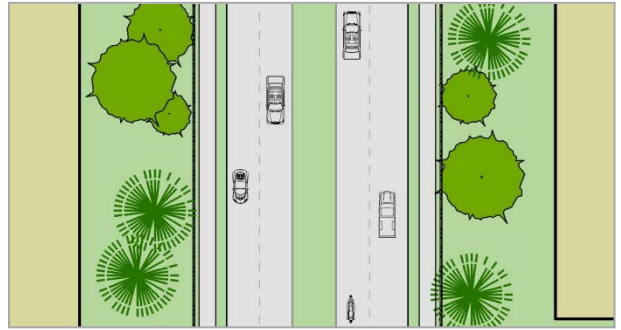
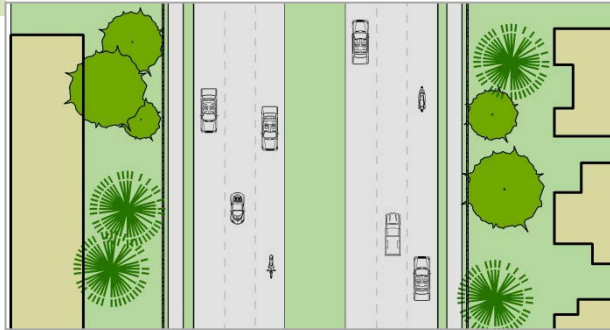
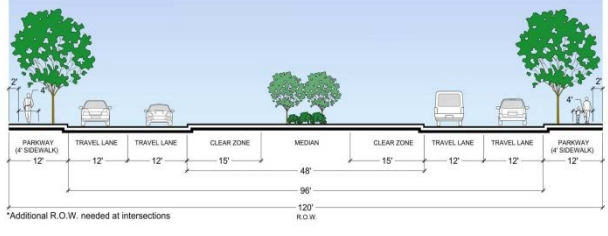
# TRANSPORTATION

## Cross Sections

Ultimate Major Thoroughfare '6LD' (Midblock)\*



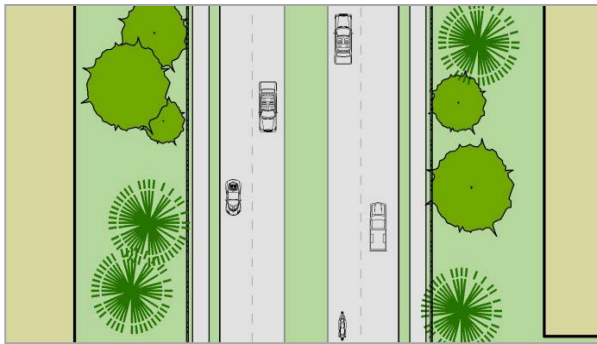
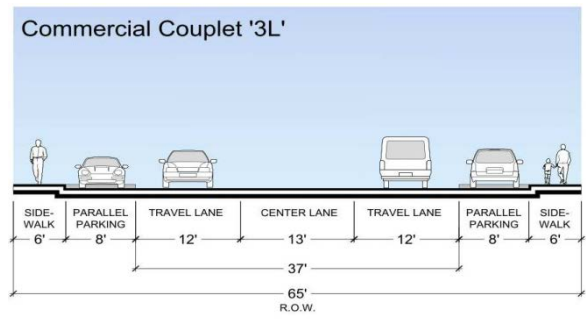
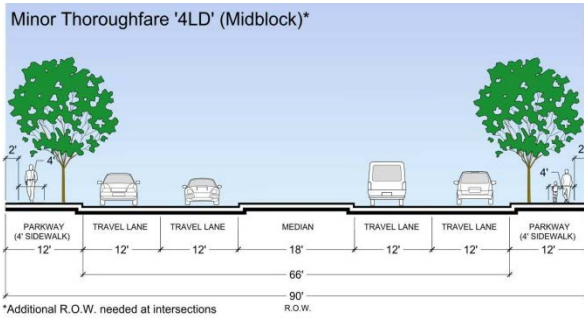
Interim Major Thoroughfare '4/6LD' (Midblock)\*



- High degree of regional mobility, traffic volumes and higher operational speeds
- Connected to regional thoroughfare facilities
- Access is carefully managed
- 6 lane divided roadway with median
- Curb and gutter with underground stormwater drainage
- Examples in Prosper include Frontier Parkway, Legacy Dr, Teel Parkway, Gee Rd, Preston Rd, Coit Rd, Custer Rd and Highway 380

- High Degree of regional mobility, traffic volumes and higher operational speeds
- Connected to regional thoroughfare facilities
- Access is carefully managed
- 4 lane divided roadway with median expandable to 6 lanes
- Curb and gutter with underground stormwater drainage
- Examples in Prosper include Frontier Parkway, Legacy Dr, Teel Parkway, Gee Rd, Preston Rd, Coit Rd and Custer Rd

TRANSPORTATION

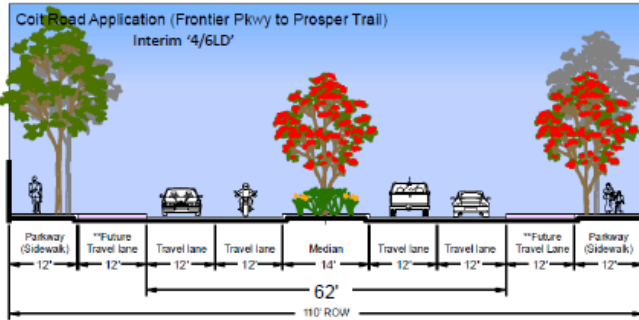


- Cross-town mobility
- Secondary to Major Thoroughfare but still accommodate higher operational speeds and traffic volumes
- Access is carefully managed
- 4 lane divided roadway with median
- Examples in Prosper include Prosper Trail, Fishtrap Rd, First Street, Lovers Lane and La Cima Blvd
- Curb and gutter drainage

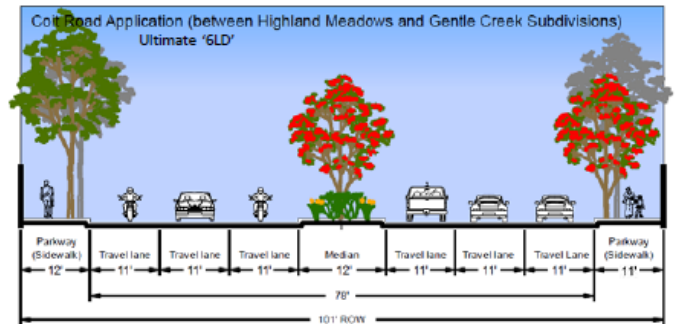
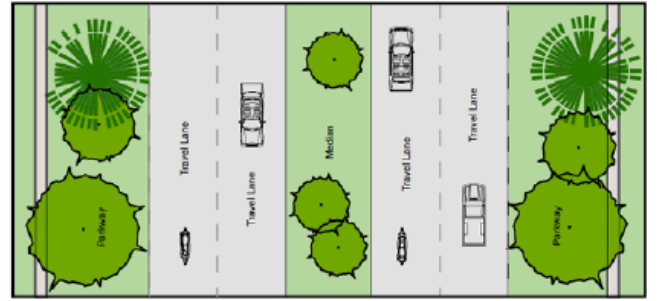
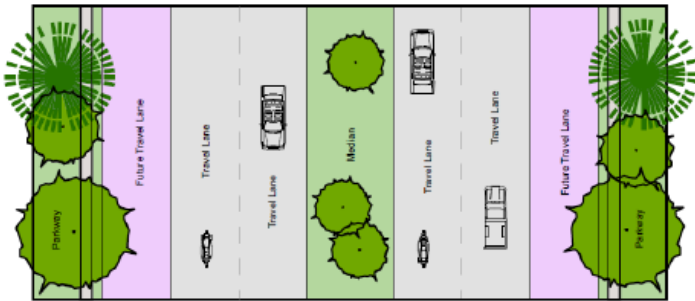
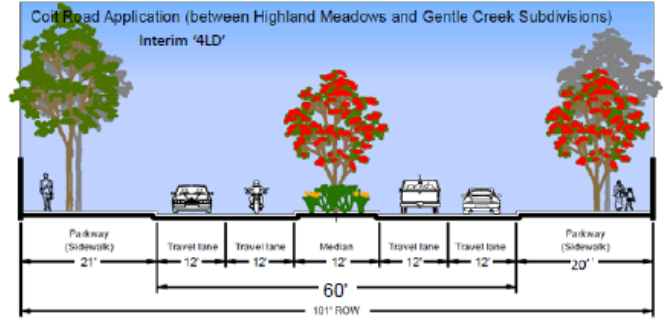
- Collection/distribution of traffic
- Back access to Frontage Road development
- Connectivity between arterial and residential collector streets
- On-street parking permitted



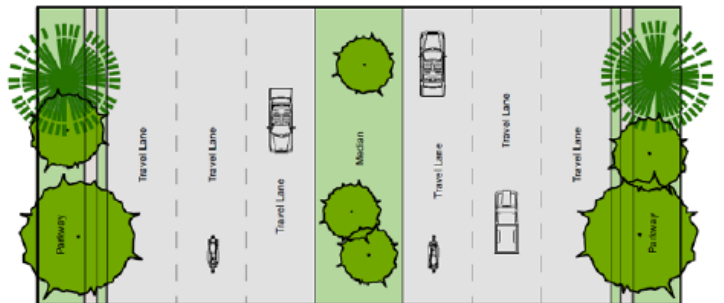
# TRANSPORTATION



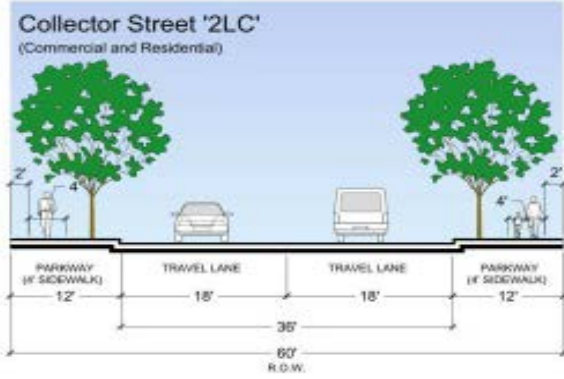
\*\* Future travel lane, as warranted.



- High Degree of regional mobility, traffic volumes and higher operational speeds
- Connected to regional thoroughfare facilities
- Access is carefully managed
- 4 lane divided roadway expandable to 6 lanes
- Curb and gutter with underground stormwater drainage



TRANSPORTATION

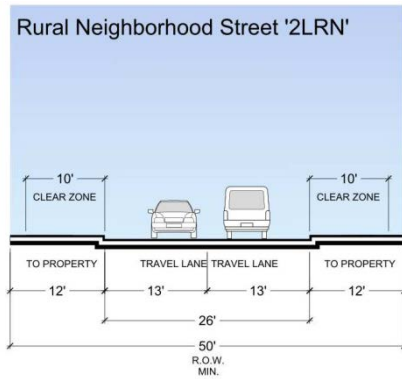


- Collection/distribution of traffic
- Back access to Frontage Road development
- Connectivity to thoroughfare and residential collector streets
- On-street parking permitted

- Local residential street.
- Traverse internally within residential neighborhoods
- Access to properties
- 2 lane undivided roadway
- Underground stormwater utilities with curb and gutter



# TRANSPORTATION



- Local rural residential street.
- Traverse internally within residential neighborhoods
- Access to properties
- 2 lane undivided roadway
- Bar ditches for drainage (width varies based on area calculations)
- For large rural area lots over 1 acre



# TRANSPORTATION

## Plan Modifications

The following modifications to the Thoroughfare Plan were developed as part of this planning process. These adjustments were developed based upon input received from the CPAC, Town Staff, land programming of the Future Land Use Plan and supporting transportation analyses.

### Old Town District Considerations

Roadways in this district are geared toward retaining the historic feel of the Old Town area. A series of two-lane streets with varying cross-sections are aimed to support residential, boutique/cottage style office and specialty retail, and a mixed-use core area at Broadway and McKinley Streets. Wide landscaped medians, parkways and sidewalks are intended to provide an open feel to key corridors in the district.



Within the mixed-use core area, wide sidewalks and on-street parking are envisioned to create a “sense of place” and allow for street amenities and gathering area. Development setbacks would also create opportunity for outdoor activity, dining or retail.

Gateways and intersection treatments at key intersections have been identified to define district edge as well as tie the area together. Features for these treatments should be coordinated with theme, look and color.

**Section A:** Four lane divided roadway with a landscaped median and a landscaped parkway separating pedestrians from traffic. This section serves as a major entrance into Old Town from the east. No on-street parking.

**Section B:** Two lane divided roadway with a large center median containing landscaping. Wide travel lanes allow for bicycle accommodation and a landscaped parkway separates pedestrians from traffic. No on-street parking.

**Section C:** Two lane divided roadway with a large center median containing landscaping. On-street parallel parking is permitted and a landscaped parkway separates pedestrians from traffic.

**Section D:** Two lane undivided urban roadway. Wide 20’ sidewalks accommodate patio seating, pedestrian traffic and street trees. On-street angled parking is permitted and bulb-outs are located at intersections to enhance pedestrian visibility at crosswalks.

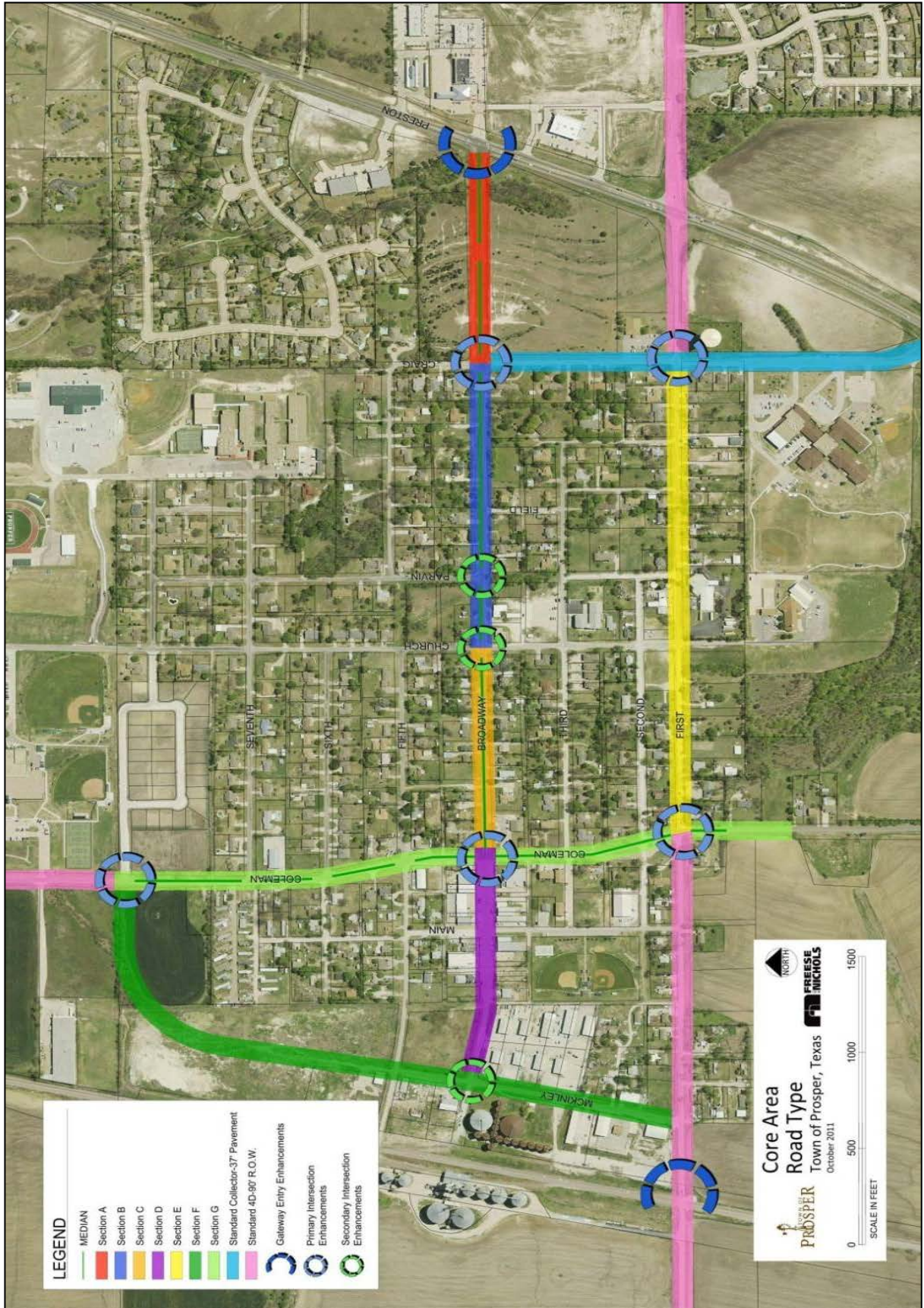
**Section E:** Two lane undivided roadway with on-street parallel parking and an immediately adjacent 8’ sidewalk. A large private setback of 25’ is included.

**Section F:** Two lane undivided roadway with on-street parallel parking and a 15’ sidewalk. 10’ of the sidewalk will be located within the right-of-way and the additional 5’ will be a 5’ setback to building face.

**Section G:** Two lane divided roadway with a center median containing landscaping. On-street parallel parking and a 10’ sidewalk are included.



# TRANSPORTATION



# TRANSPORTATION

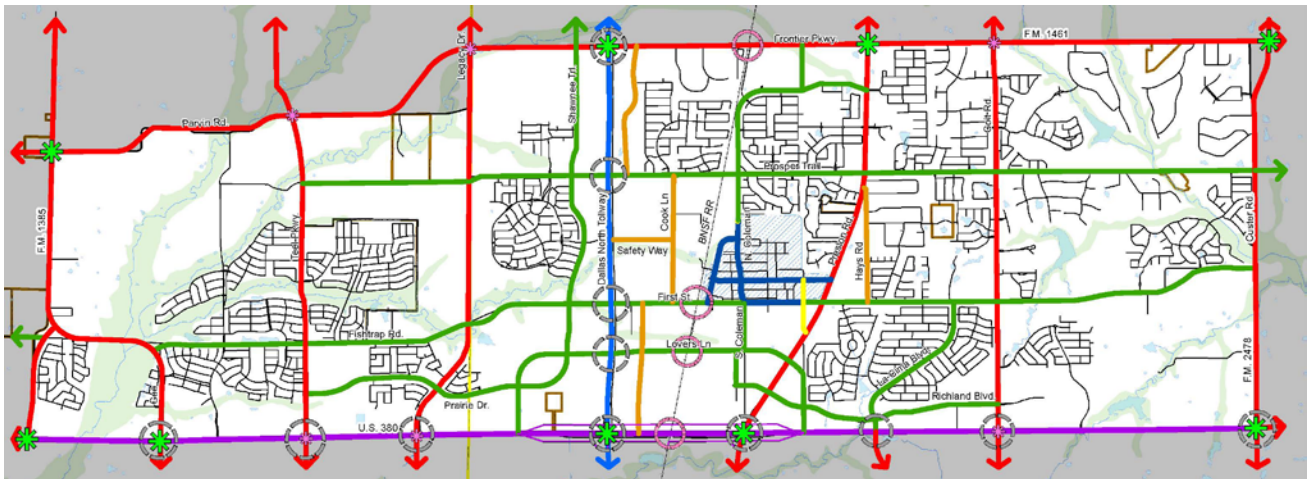
**DNT Backage Roads**  
 The thoroughfare plan calls for paralleling system of streets to support anticipated corridor development along the Dallas North Tollway. Sometimes referred as backage roads, these roads help to support development connectivity and accessibility. At Prosper Trail, a realignment of the backage road east of the Tollway was identified to avoid existing development and retain continuity for development opportunity to the north and south. This realigned commercial collector would still allow for 400-600' lot depth for properties along the Tollway.

**Hays Road Collector**  
 Upgrade Hays Road as a commercial collector street to support future commercial/retail development opportunity along Preston Road north of First Street. Extending from First Street, Hays should be realigned at the north end to intersect Preston Road at Bridgeport Drive. This realignment would also help to reduce intersection points along Preston Road. The realignment of Hays at Bridgeport would also require a realigned intersection for Chandler Circle.

**South Coleman Road**  
 Extend and realign S. Coleman Road to intersect with Richland Blvd. at Preston Road. In addition to supporting development within Town Center, this connection would also create back access/connectivity with development anticipated east of Preston along Highway 380. Within Town Center, S. Coleman Road should be upgraded to a four-lane divided minor Thoroughfare (90' ROW) to provide roadway capacity to support heavy development anticipated for this area. Consequently, the previously identified loop road extending from S. Coleman Road and back to McKinley Street should be removed from the Plan.

**South Craig Road**  
 Upgrade Craig Road between Preston Road and Broadway Street as a 3 lane couplet street to support retail development opportunity both within the Old Town District and along Preston Road.

**Highway 380 Access Roads**  
 The inclusion of access roads along Highway 380 between the Lovers Lane loop.



# ECONOMIC ANALYSIS

## Economic Analysis

An important factor to consider in the planning process is how land use decisions ultimately impact the future financial state of the community. Therefore, Prosper’s Future Land Use Plan not only guides development within the community but it provides the financial framework enabling Prosper to provide high-quality services for its residents. The following section pertains to this very topic and provides estimates on the potential sales tax and ad valorem tax revenue that could be collected by the Town at build-out. In order to provide a detailed analysis, experts at Catalyst Commercial were consulted and provided information on future retail trade potential in Prosper based upon the Future Land Use Plan.

### Analysis from Catalyst

An analysis using the projected build-out population of Prosper at 69,303 served as a basis to project a retail purchasing power of \$856,013,933, assuming 23,024 households with a \$37,183 retail trade per household. This would equate to roughly 2,853,379 square feet of retail space.

Figure 8: Retail Demand Forecast

| Retail Demand Forecast                  | 2011 City Estimate   | Total Build Out Capacity |
|---|----------------------|--------------------------|
| Population                              | 10,560               | 69,303                   |
| Households                              | 3,504                | 23,024                   |
| 2010 Median Disposable Income           | \$67,422             | \$67,422                 |
| 2010 Per Capita Income                  | \$35,716             | \$35,716                 |
| Total Retail Trade per HH               | \$37,183             | \$37,183                 |
| Household Income                        | \$107,641            | \$107,641                |
| Retail percentage of HH Income          | 34.54%               | 34.54%                   |
| Forecasted Total Retail Trade Potential | <b>\$130,284,948</b> | <b>\$856,013,933</b>     |
| Est. Retail Sales per Square Foot       |                      | \$300                    |
| Retail Square Footage Demand*           |                      | <b>2,853,379</b>         |

### Sales Tax Analysis

|                        |                     |
|------------------------|---------------------|
| Annual Total           | <b>\$17,120,278</b> |
| <i>Allocation</i>      |                     |
| General Fund           | \$8,560,139         |
| Economic Development   | \$4,280,069         |
| Property Tax Reduction | \$4,280,069         |

\*Est. \$300 sales per square foot based upon International Council of Shopping Centers

### Acreage

For assumption purposes, we assumed a Floor to Area Ratio (FAR) of 0.18 for retail. Dividing the total square footage of retail by the FAR and further dividing by 43,560 achieves the estimated retail acres that would be needed to accommodate the 2,853,379 square feet of retail space. This number is 364 acres.

\*\* This page was not updated as part of the 2020 update and will be updated with a future Comprehensive update.

## ECONOMIC ANALYSIS

In order to determine whether or not the Future Land Use Plan could accommodate the 364 retail acres projected by the economic analysis, a number of additional assumptions were made. These assumptions were derived from staff discussions, existing zoning regulations and future characteristics believed to define each district and include:

1. Approximately 70% of the Neighborhood Services will be retail in nature.
2. Approximately 45% of the Town Center would be retail in nature. The Town Center will likely have a mixture of retail, office, residential and public space. The primary use, however, will likely be oriented around retail.
3. 10% of the Tollway District will be retail. Office uses will constitute the largest majority of land within the Tollway District. Retail areas within the Town Center will likely be at major intersections and on the first floor of vertical mixed-use apartments/lofts.
4. 10% of the Highway 380 district will be retail. Commercial uses and residential uses will constitute a significant portion of the corridor. Retail areas at major intersections, including big-box retailers, will constitute the majority of retail establishments within the corridor.

Given these assumptions, a total of 757 retail acres is expected, based upon the Future Land Use Plan scenario and the above assumptions. Additionally, the presence of visible and attractive corridors in Prosper suggests the Town will be able to attract patrons from outside of the Town itself. Our preliminary analysis indicates that, based on current spending trends experienced today, the Future Land Use Plan contains more than sufficient retail space to meet the future needs of Prosper.

| Retail Assumptions                 | Comp. Plan Total Acres | Retail Acres per Category |
|------------------------------------|------------------------|---------------------------|
| Neighborhood Services*             | 331                    | 231.7                     |
| Town Center**                      | 575                    | 258.8                     |
| Tollway District***                | 1,426                  | 142.6                     |
| US 380****                         | 1,248                  | 124.8                     |
| <b>Total</b>                       | <b>3,580</b>           | <b>757.9</b>              |
| * Assumed 70% retail component     |                        |                           |
| ** Assumed 45% retail component    |                        |                           |
| *** Assumed 10% retail component   |                        |                           |
| **** Assumed 10 % retail component |                        |                           |



# ECONOMIC ANALYSIS

## Analysis

Based upon an extremely conservative allocation of retail acres, the Future Land Use Plan may accommodate approximately 750 retail acres. This is significantly higher than the 364 retail acres recommended by the economic analysis.

### Retail Sales Tax

While 364 acres of retail is recommended by the economic analysis, a number of different factors may affect long-term retail needs in Prosper and include the following:

- A potential build-out population higher than the current estimate of 69,303. The 2004 Comprehensive Plan and recent impact fee reports all estimate a buildout population of over 89,000 residents. Assuming a population of 82,000 residents, Prosper could accommodate approximately 430 acres of retail.
- Prosper will have a regional retail center in the Town Center. This area of the community will have a regional draw and will attract retail patrons from outside of Prosper. Additional retail acreage, therefore, can be accommodated due to the regional nature of such retail.
- Within retail areas, other uses such as churches, public facilities, schools and other non-retail uses may occur.

Due to the above factors, it is believed that the Town could potentially accommodate the 757 retail acres depicted in the chart on page 98. As the Town grows, and as further comprehensive plan studies are completed, this number should be carefully examined and adjusted, if necessary. Based upon the assumptions from page 97, 750 acres of retail would essentially double the initial 364 acre estimates from a 17.1 million total sales tax contribution to approximately **\$34 million** in sales tax revenue (**\$17.1 million to the general fund, \$8.6 million to Economic Development and \$8.6 million to property tax reduction**). This sales tax revenue, when combined with estimated Ad Valorem Tax

revenue, would enable Prosper to be financially secure and provide high level services and/or property tax reductions to its citizens. It is also recommended that additional neighborhood service retail zoning beyond what is recommended on the Future Land Use Plan should be avoided.

The 750 acres recommended by this economic analysis should be sufficient to meet Prosper’s retail needs. Additional neighborhood services retail zoning should be avoided. Nodal retail activity should be concentrated at primary intersections, and the “four corner” principle should be avoided to reduce the possibility of an oversupply of retail acreage. Strip center development along major roadways should also be avoided, as the plan recommends.

The consequences of an oversupply of retail may include:

- Vacant, underutilized land;
- Lower rental rates leading to undesirable uses;
- Pressures for additional multifamily to fill vacant parcels; and
- Blighted corridors.

## ECONOMIC ANALYSIS

An Ad Valorem analysis was conducted. Comparative properties were selected in each of the following Future Land Use Plan categories. Based upon the data collected from the Collin and Denton County Appraisal Districts, an average value per acre was assessed on the comparative properties to derive an estimated value per acre per land use category. The derived value per acre was then multiplied by the total number of acres within each district to calculate the total gross value of the district. Using the current tax rate of .52 cents per \$100 of assessed value, an approximate gross Ad Valorem tax contribution per district was calculated. In order to account for right-of-way, such as public streets, and tax exemptions, such as schools and churches, 30% of the total value was subtracted to derive the estimated value and Ad Valorem amount that could be contributed to the General Fund annually.

It is important to note that this analysis is for estimation purposes only and is based upon assessed values in 2011 dollars. The purpose of this analysis is to determine the approximate Ad Valorem contributions that could be generated based upon the Future Land Use Plan.

### Ad Valorem Tax

| District  | Taxable Value           | Value per Acre | Tax Revenue (.52)   |
|---|-------------------------|----------------|---------------------|
| Dallas North Tollway                                    | \$2,790,756,612         | \$1,957,052    | \$14,511,934        |
| Highway 380   | \$1,321,585,597         | \$1,058,963    | \$6,872,245         |
| Town Center   | \$2,465,780,302         | \$4,288,314    | \$12,822,057        |
| Business Park   | \$247,358,925           | \$666,736      | \$1,286,266         |
| Neighborhood Services                                   | \$478,977,403           | \$1,447,062    | \$2,490,682         |
| Old Town  | \$140,457,586           | \$407,123      | \$730,379           |
| High Density  | \$564,358,076           | \$928,221      | \$2,934,661         |
| Medium Density  | \$7,015,502,244         | \$1,223,919    | \$36,480,611        |
| Low Density   | \$3,136,282,464         | \$567,550      | \$16,308,668        |
| <b>Gross Ad Valorem Total Value</b>                     | <b>\$18,161,059,208</b> | -              | <b>\$94,437,507</b> |
| <b>Total Ad Valorem Value (30% ROW &amp; Exemption)</b> | <b>\$12,712,741,445</b> | -              | <b>\$66,106,255</b> |



# ECONOMIC ANALYSIS

## Tax Gap

In order to determine whether or not the sales and Ad Valorem taxes generated by the Future Land Use Plan will be sufficient to cover the overall expenses incurred by the community at build-out, an approximate General Fund budget was calculated based upon the average per capita expenditures at today's spending levels.

The Fiscal Year 2010-11 budget indicates that the Town of Prosper had a General Fund budget of \$7,115,112. When this number is divided by the 2010 population of 9,423, an average per capita expenditure of \$755 per person is derived. This per capita expenditure by Prosper is comparable with other regional communities. Southlake has the highest per capital expenditure among the comparative group primarily due to its high residential property values, high-quality non-residential uses and its regional Town Center drawing patrons from outside the community. This situation enables Southlake to provide higher level services and enhanced aesthetics to its residents. The similarities between the economics and vision between Prosper and Southlake are similar in nature.

Multiplying the per capita expenditure of \$755 per person by the ultimate capacity of 69,303, an ultimate capacity General Fund budget for Prosper of \$52,323,765 is derived.

Discussed in the previous sections, the approximate Ad Valorem contribution to the General Fund at build-out would be approximately \$66.1 million. The approximate sales tax contribution to the general fund based upon the 750 retail acres would be approximately \$17.1 million. Based upon this scenario, total General Fund income from taxes at build-out would be approximately \$83.5 million. This scenario would position Prosper to be in a similar situation to Southlake and Richardson, enabling the Town to provide high quality services for its residents.

|            | 2010 Population | FY 2010-2011 General Fund Budget | Per Capita Expenditure |
|------------|-----------------|----------------------------------|------------------------|
| Southlake  | 26,575          | \$30,410,480                     | \$1,144                |
| Richardson | 99,223          | \$94,180,002                     | \$949                  |
| Allen      | 84,246          | \$72,270,464                     | \$858                  |
| Prosper    | 9,423           | \$7,115,112                      | \$755                  |
| Argyle     | 3,282           | \$2,320,366                      | \$707                  |
| Plano      | 258,841         | \$182,758,485                    | \$706                  |
| McKinney   | 131,117         | \$90,788,018                     | \$692                  |
| Frisco     | 116,989         | \$77,945,250                     | \$666                  |
| Celina     | 6,028           | \$3,945,684                      | \$655                  |
| Desoto     | 49,047          | \$29,760,521                     | \$607                  |
| Rowlett    | 56,199          | \$33,793,677                     | \$601                  |
| Little Elm | 25,898          | \$13,157,771                     | \$508                  |

It should be noted that additional forms of sales tax, such as Industry Tax and Inventory Tax, are not included and will create additional avenues for income. These numbers are approximate and are derived for estimation purposes only.

Figure 10: Tax Gap Analysis

|   |                     |
|---|---------------------|
| Total Town Ad Valorem Income at Build-out | \$66,106,255        |
| Total Sales Tax Income at Build-out       | \$17,120,278        |
| <b>Total Income from Tax at Build-out</b> | <b>\$83,590,594</b> |
| <b>Total Expenditures</b>                 | <b>\$52,323,765</b> |
| <b>Tax Gap Surplus*</b>                   | <b>31,266,829</b>   |

\*This is an estimate based upon the projected sales tax revenue and possible Ad Valorem revenue. This estimate does not include additional forms of sales tax such as Industry Tax and Inventory Tax.



## ECONOMIC ANALYSIS

### Economic Analysis Conclusion

Forecasted potential sales tax data indicates that Prosper has the potential to derive a significant monetary amount from sales tax receipts at build-out. This is ultimately dependent upon the community attracting high-quality retail establishments that serve residents of the community and provide regional retail destinations that attract patrons from outside of Prosper. The primary regional destinations will be located within the Town Center and at the intersection of the Dallas North Tollway and Highway 380. Additional retail may be located within the Dallas North Tollway and Highway 380 districts, but will likely be less intense in nature.

Retail/Neighborhood Service areas away from the major districts will likely serve the internal needs of Prosper, providing less intensive services to adjacent residential neighborhoods. Additional retail/neighborhood services zoning outside of the Dallas North Tollway, Town Center and Highway 380 districts should be carefully considered in order to avoid an oversupply of retail zoning. Flexibility within the Dallas North Tollway, Highway 380 and Town Center districts will enable Town staff to make appropriate, market-based land use decisions as development occurs.

An estimate of Ad Valorem taxes at build-out suggests that Prosper will have the potential for a significant Ad Valorem contribution to its General Fund. Prosper’s high-quality neighborhoods and its dedication to providing high-quality retail destinations will be a primary factor in determining the ultimate Ad Valorem value of the community. As development

occurs, the community has expressed a desire to attract the highest quality development possible to protect the Town’s visual character and maximize the taxable value for both the General Fund and Prosper ISD. Future non-residential land use decisions should consider the long-term potential contributions of that particular development to the community, favoring clustered nodal retail activity centers, Class A office space (office space defined by high-quality furnishings, state-of-the-art facilities and excellent accessibility) and corporate campuses over strip retail and stand-alone retail establishments.

The retail data provided indicates that the Future Land Use Plan created for Prosper provides a significant amount of retail space to meet the future needs of Prosper residents. The Future Land Use Plan also gives Town Staff, Planning & Zoning Commission and Town Council ultimate flexibility to determine where retail areas should be located within the established districts.

While the numbers provided are estimates on the potential sales tax and Ad Valorem income of the community at build-out, it is important to note that these are only estimates. To ensure that Prosper has a financially secure future, the land use and character principles outlined in this Plan should be used as a guide to attract the highest quality development possible. High-quality and long-lasting development is ultimately the key in ensuring that Prosper has a sound financial future. Focusing on attracting and maintaining such development will enable Prosper to meet the essential needs of its future residents.



# INFRASTRUCTURE ASSESSMENT

## Infrastructure Assessment

Planning for and providing infrastructure is perhaps one of the most important responsibilities of a municipality. Citizens need to be secure in the knowledge that they can rely on their local government to ensure that there is adequate and safe water supply and wastewater capacity for current populations and that proper plans are developed to provide for future growth. There are numerous technical studies that can be used to analyze these current and future needs for the Town. This 2012 Comprehensive Plan is not intended to take the place of these detailed technical efforts. The purpose of the Comprehensive Plan is to determine whether the Town has made or plans on undertaking these efforts. This Infrastructure Assessment is intended to provide an overview of Prosper’s infrastructure system and capacity of that system in relation to the current population and the future projected population.

## Previous Planning Efforts

The most recent large scale, in-depth analysis of future water and wastewater needs was completed in 2006 by Freese and Nichols, Inc. (FNI). At that time FNI developed a Water Distribution Master Plan and a Wastewater Collection Master Plan. These studies analyzed growth based on the Future Land Use Plan in place at that time and used typical usage factors for water and wastewater based on historical water usage and wastewater flows in Prosper. The study developed Capital Improvement Plans intended on implementing the recommendations in the technical studies and provided mapping of the proposed improvements. The Water and Wastewater Capital Improvement Plans were updated in 2011 for the Impact Fee Update, also performed by FNI. The recommended improvements outlined in the Impact Fee Study are intended to provide the required capacity and reliability to meet projected water

demands and wastewater flows through Buildout. Due to timing of the Impact Fee Study



and Comprehensive Plan projects, the recommended water and wastewater projects developed in the Impact Fee Study were based on growth rates and Future Land Use Plan developed prior to the 2012 Comprehensive Plan.

## Infrastructure Goals and Objectives

The goal and objectives for infrastructure are shown below:

**Goal: Ensure that existing water, wastewater and storm drainage systems and future plans adequately serve current and future residents and businesses.**

**Objective 1: Investigate any deficiencies in the infrastructure systems.**

**Objective 2: Develop concepts that will address deficiencies of the infrastructure system.**

**Objective 3: Strive for an infrastructure system that will effectively and economically serve existing and projected needs of the community in a safe and efficient manner.**

**Objective 4: Ensure that infrastructure is compatible or expanded to support future development, specifically in key development areas.**

# INFRASTRUCTURE ASSESSMENT

## Water System

### Existing Characteristics

North Texas Municipal Water District (NTMWD) is a regional water provider with a treatment capacity of 770 million gallons of water per day and serves approximately 1.6 million people. NTMWD currently serves water to the Town of Prosper through a 48” transmission line in the northwest portion of NTMWD’s system. The water from NTMWD is dropped into a 3 million gallon (MG) ground storage tank and re-pumped to serve the Prosper distribution system through a 30” water line. The NTMWD delivery point into the Town of Prosper is in the southeast portion of the Town, and this is the only existing treated water delivery point. The Town relies on NTMWD for all treated water and does not utilize existing wells in the system. In addition, there are not emergency water connections with surrounding entities.

### Storage and Usage

The Town had an average daily flow of 1.9 million gallons per day in 2010, and Town records show 3,230 active water accounts. This number includes both normal domestic connections and irrigation-only connections. The Texas Commission on Environmental Quality (TCEQ) requires 200 gallons per connection of storage of which 100 gallons must be elevated storage. The Town currently has a 2 million gallon elevated storage tank near Preston Road and First Street and 3 million gallons in ground storage at the NTMWD delivery point. Since the limiting factor in this case is the elevated storage capacity, based on the current elevated capacity of 2 million gallons, the number of connections that would be allowed by TCEQ is 20,000. FNI developed criteria in the 2011 Impact Fee Update for sizing of storage and pumping capacity for the Town. These criteria are more stringent than TCEQ requirements and take into consideration many additional factors including operational flexibility, fire protection, system redundancy,

and energy efficiency. The design criteria



recommended to size ground storage tank

capacity is to provide adequate storage volume to meet 8 hours of maximum day demand. The design criteria recommended for elevated storage capacity is twice the required volume needed to meet 35% of the peak hour demand for a duration of 3 hours. The design criteria recommended for pump station capacity is providing a firm pumping capacity to meet 65% of the peak hour demand. The firm pumping capacity is defined as the total available pumping capacity with the largest pump out of service to each pressure plane.



## INFRASTRUCTURE ASSESSMENT

### Considerations for the Future

Generally speaking, the planning that has taken place regarding water infrastructure has served the Town very well. The population and land use data in the 2011 Impact Fee Update was used to develop future water demands. Conservation measures in place for the future were taken into account in determining the projected water usage. The current Water System Capital Improvement Plan was completed in 2011 for the Impact Fee Update, and recommended improvements to serve the Town through Buildout are shown on Plate 4. Since that time, and as a result of this Plan, population growth has changed and land uses have changed. In order to remain relevant, the Capital Improvements Plan should be either revised or updated as plans are developed in order to ensure consistency.

### Water Short Term Recommendations:

1. Yearly monitoring of growth to guide implementation of water system projects.
2. Evaluate whether the Lower Pressure Plane should be served through a dedicated Lower Pressure Plane Pump Station at the existing NTMWD delivery point site or through a new Upper Trinity Regional Water District (UTRWD) delivery point on the west side of the Town. This should be determined prior to design of the proposed 42" Lower Pressure Plane line and Pump Station, and this project is recommended to be under design in 2016 based on growth rates and land use assumptions in the 2011 Impact Fee Study.

### Water Long Term Recommendations:

1. Coordinate with NTMWD to receive additional water supply capacity to meet projected water demands.
2. Continue implementation of the projects indicated in the 2011 Impact Fee Update.
3. Update Water Master Plan and Impact Fee CIP at least every 5 years or more frequently if land use assumptions or service provider assumptions change significantly.
4. Investigate an emergency interconnect with an adjacent entity to increase water system reliability and redundancy.

PROPOSED COMPREHENSIVE PLAN

Item 7.

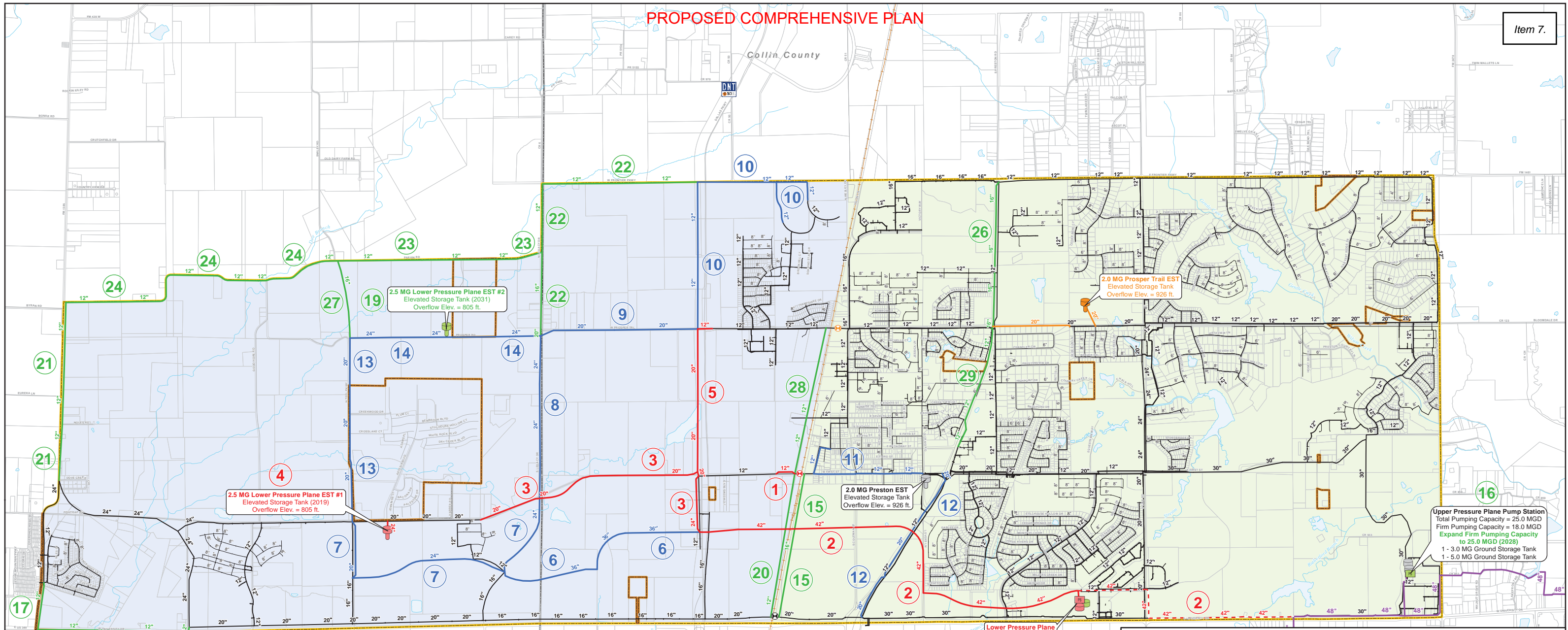


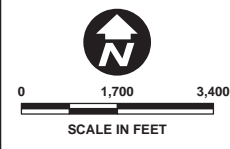
FIGURE 3-7  
TOWN OF PROSPER  
BUILDOUT WATER SYSTEM  
CAPITAL IMPROVEMENT PROJECTS

**LEGEND**

|  |   |                      |
|--|---|----------------------|
| <b>2016 - 2021 Proposed Improvements</b>     | <b>Under Design/Construction Water System</b> | Road                 |
| Proposed Pressure Reducing Valve             | Pressure Reducing Valve                       | Railroad             |
| Proposed Pump Station                        | Elevated Storage Tank                         | Stream               |
| Proposed Ground Storage Tank                 | Water Line                                    | Lake                 |
| Proposed Elevated Storage Tanks              |   | Parcel               |
| Proposed Water Line                          | <b>Existing Water System</b>                  | Town Limit           |
| Proposed Supply Line                         | Existing Pressure Reducing Valve              | ETJ Boundary         |
|  | Existing Pump Station                         | County Boundary      |
| <b>2022 - 2026 Proposed Improvements</b>     | Existing Ground Storage Tank                  | Lower Pressure Plane |
| Proposed Water Line                          | Existing Elevated Storage Tank                | Upper Pressure Plane |
|  |   |                      |
| <b>2027 - Buildout Proposed Improvements</b> |   |                      |
| Proposed Pump Station                        |   |                      |
| Proposed Ground Storage Tank                 |   |                      |
| Proposed Elevated Storage Tank               |   |                      |
|  |   |                      |
|  | <b>NTMWD Water System</b>                     |                      |
| Proposed Water Line                          | Water Line                                    |                      |

**Lower Pressure Plane Pump Station Improvements**

- 2** New 10.0 MGD Pump Station and 6.0 MG Ground Storage Tank (2019)
- 6** Expand Firm Pumping Capacity to 25.0 MGD (2024)
- 18** Second 6.0 MG Ground Storage Tank (2030)
- 25** Expand Firm Pumping Capacity to 40.0 MGD (2036)



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Location: 11101 WPA PLANNING Fee Report (Pages 3-7) - Water\_CIP.mxd  
Updated: Thursday, February 09, 2017 10:21:24 AM

# INFRASTRUCTURE ASSESSMENT

## Wastewater System

### Existing Characteristics

The Town of Prosper is currently served by the NTMWD for wastewater treatment. The treatment plant serving the Town is the Wilson Creek Regional Treatment Plant located near Fairview on Lake Lavon. This plant also serves Anna, Melissa, Princeton, McKinney, Allen, Fairview, Frisco, Lucas, Richardson, Parker, and Plano. The current average day capacity of the Wilson Creek WWTP is 48 MGD, with a build-out capacity of 112 MGD. The NTMWD interceptor runs through the northeast corner of the Town of Prosper.

Due to the terrain within the Town, lift stations are required to make the collection system effective and send all wastewater flow to the NTMWD system. The Town currently has 6 large lift stations in operation for this purpose. The Gentle Creek and Steeple Chase lift stations have already been abandoned, and the remainder of the lift stations with the exception of La Cima will be abandoned in the future with proposed projects.

### Considerations for the Future

Generally speaking, the planning that has taken place regarding wastewater infrastructure has served the Town very well. The Town signed an agreement with Upper Trinity Regional Water District (UTRWD) in December 2007 to send a majority of future wastewater flows to an existing UTRWD interceptor in the west side of Prosper. This was a very strategic move for the Town as it will allow the Town to abandon a majority of existing lift stations and significantly reduce capital and operations and maintenance (O&M) costs by removing lift stations and force mains from the Wastewater Capital Improvement Plan. The current Wastewater System Capital Improvement Plan was completed in 2011 for the Impact Fee Update, and recommended improvements to serve the Town through Buildout are shown on Plate5. As soon as the interceptor from the abandoned WWTP to the UTRWD interceptor is completed,

the lift station at the WWTP and 12” force main will no longer be utilized to send Subbasin 2 and 4 wastewater flows to the NTMWD system. The long term plan is to continue to send wastewater flows in Subbasins 5 and 6 to the NTMWD system, and wastewater flows in Subbasins 1, 2, 3, and 4 will be sent to the UTRWD system.

Since development of the Capital Improvement Plan for the Impact Fee Update, and as a result of this Plan, population growth has changed and land uses have changed. In order to remain relevant, the Capital Improvements Plan should be either revised or updated as plans are developed in order to ensure consistency.

### Wastewater Short Term Recommendations:

1. Yearly monitoring of growth to guide implementation of wastewater system projects.
2. Continue to eliminate existing lift stations to reduce O&M costs.

### Wastewater Long Term Recommendations:

1. Future acquisition of additional wastewater treatment capacity from NTMWD and UTRWD.
2. Continue implementation of the projects indicated in the 2011 Impact Fee Update.
3. Update Wastewater Master Plan and Impact Fee CIP at least every 5 years or more frequently if land use assumptions or service provider assumptions change significantly.
4. Consider conversion of existing services on septic systems to the Prosper wastewater system.

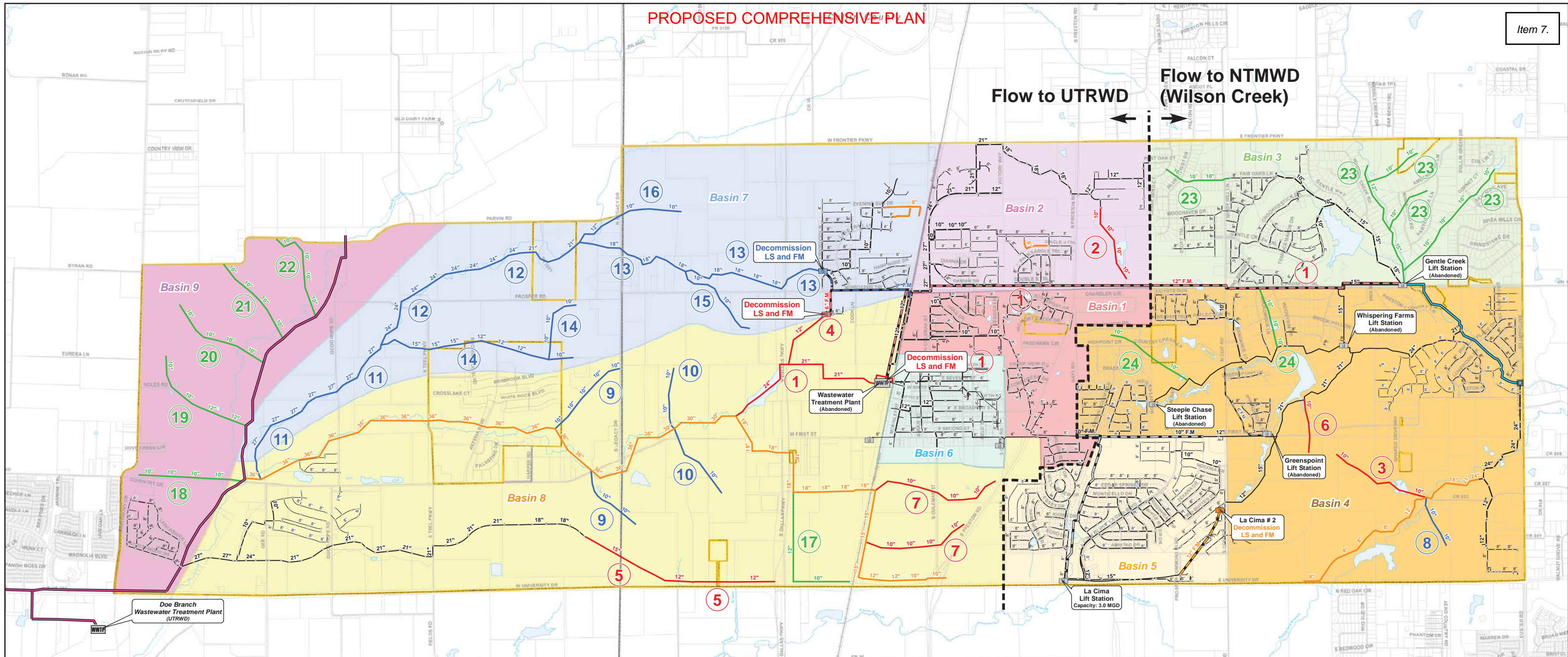


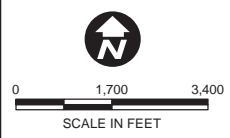
FIGURE 3-8  
TOWN OF PROSPER  
BUILDOUT WASTEWATER SYSTEM  
CAPITAL IMPROVEMENT PROJECTS

**LEGEND**

|                            |  |  |
|----------------------------|--|--|
|                            |  |  |
|                            |  |  |
|                            |  |  |
|                            |  |  |
|                            |  |  |
|                            |  |  |
| <i>Existing Force Main</i> |  |  |
|                            |  |  |
|                            |  |  |
|                            |  |  |

**MAJOR BASINS**

|  |         |  |         |
|--|---------|--|---------|
|  | Basin 1 |  | Basin 6 |
|  | Basin 2 |  | Basin 7 |
|  | Basin 3 |  | Basin 8 |
|  | Basin 4 |  | Basin 9 |
|  | Basin 5 |  |         |



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Updated: Monday, February 06, 2017 11:48 AM

# INFRASTRUCTURE ASSESSMENT

## Storm Drain System

Freese and Nichols, Inc. assessed the Town’s existing drainage utility system needs and identified recommended updates to the existing drainage utility system fee in 2010 as part of the Drainage Utility System Fee Development Report. The assessment included a visual inspection, as well as discussions with Town Staff, of several areas within the Town that have flooding or potential flooding issues. The study identified and prioritized storm drain infrastructure facilities across the Town that are in need of replacement or upsizing to anticipate increases in flows or to correct current drainage problems. Eight major maintenance and capital projects and seven routine maintenance projects were identified. All solutions presented in the study were conceptual in nature and only used to provide a range of estimated construction costs for comparison purposes. Each capital project location will require a detailed study by a licensed engineer that should consider other alternatives before a final solution can be determined. As the Town continues to develop, a Comprehensive Drainage Utility System Master Plan should be completed to further identify and refine storm water management projects.

The Town is currently not subject to new federal storm water quality regulations (Phase II MS4) that would require the Town to further protect and enhance water quality in creeks and lakes through the development of a storm water quality management program. However, the Texas Commission on Environmental Quality (TCEQ) will issue the next Phase II MS4 permit in August 2012, and the determination of regulated communities would be based upon each community’s 2010 U.S. Census population. Based on population growth in and around Prosper over the last decade, it is likely that the Town will become subject to the Phase II MS4 requirements.

As an operator of a small municipal separate storm sewer system (MS4), the Town would be required to develop a multi-faceted program to

protect storm water quality before it enters creeks, rivers, and lakes. The program includes a number of measures to protect storm water quality, such as the following:

- Drainage utility system maintenance;
- Structural and non-structural water quality protection measures;
- Drainage utility system mapping and inspections;
- Public education, outreach and involvement;
- Town ordinances regulating construction activity, illicit discharges, and post-construction runoff; and
- Town staff training and operations improvements.





## INFRASTRUCTURE ASSESSMENT

### Considerations for the Future

As development continues within the Town of Prosper, several actions should be taken to handle drainage and storm water management issues.

#### Storm Water Short Term Recommendations:

1. Consider establishing a program to conduct routine inspections and operations and maintenance (O&M) activities throughout the drainage utility system to minimize flooding potential, reduce creek erosion, and protect storm water quality.
2. Yearly monitoring of capital project needs to guide implementation of storm drain system projects outlined in the 2010 Drainage Utility System Fee Development Report.

#### Storm Water Long Term Recommendations:

1. Develop a Comprehensive Drainage Utility System Master Plan. This plan will provide an in-depth analysis of current drainage facilities and project the need for future facilities (detention, culverts, channel enhancements, etc.) based on the adopted Future Land Use Plan. The drainage utility system master plan can be a powerful tool that helps define the direction of future

development, the protection of natural resources, and the integration of public spaces such as parks in the Town.

2. Review current subdivision standards to ensure that new developments bear responsibility to ensure that these developments do not adversely impact the overall storm water system within the Town.
3. Review the drainage utility system fee rates in several years to consider any changes that the Town might want to incorporate in the drainage utility system fee rate. Potential changes might include increased costs for equipment, additional CIP projects that may be needed, increasing water quality regulatory compliance requirements and others.
4. Continue implementation of projects outlined in the 2010 Drainage Utility System Fee Development Report.
5. Prepare a storm water quality management plan and implement over a 5-year period a storm water quality management program to meet the requirements of the pending 2012 TCEQ Phase II MS4 general permit.



## IMPLEMENTATION PLAN

### Implementation Plan

The importance of planning can never be overstated—planning provides for the protection of private property and ensures future development occurs in a coordinated and organized fashion, consistent with the Comprehensive Plan. The future of Prosper will be shaped with the policies and recommendations developed in this 2012 Comprehensive Plan. Based on this Plan, decisions will be made that will influence many aspects of the Town's built and social environments. Prosper has taken an important leadership role in defining its future, with the adoption of this Plan. The Plan will provide a very important tool for Town Staff and civic leaders to use in making sound planning decisions regarding the long-term growth and development of Prosper. The future quality of life in Prosper will be substantially influenced by the manner in which the Plan recommendations are administered and maintained.

Planning for the Town's future should be a continuous process, and this Plan is designed to be a dynamic tool that can be modified and periodically updated to keep it in tune with changing conditions and trends. Changes in Prosper' socioeconomic climate and in development trends that were not anticipated during preparation of the Plan will occur from time to time, and therefore, subsequent adjustments will be required. Elements of the Town that were treated in terms of a general relationship to the overall area may, in the future, require more specific and detailed attention.

Plan policies and recommendations may be put into effect through adopted development regulations, such as zoning and subdivision, and through capital improvement programs. Many recommendations within the Plan can be implemented through simple refinement of existing Town regulations or processes, while others may require the establishment of new regulations, programs, or processes. This final section of the 2012 Comprehensive Plan describes specific ways in which Prosper can take the recommendations within this plan from vision to reality.

### Proactive and Reactive Implementation

There are two primary methods of Plan implementation: proactive and reactive methods. To successfully implement the Plan and fully realize its benefits, both methods must be used in an effective manner. Both proactive and reactive actions that could be used by Prosper are described within this Implementation Chapter.

#### Examples of proactive methods include:

- Establishing or updating subdivision regulations;
- Establishing or updating zoning regulations; and
- Developing a capital improvements program (CIP), by which the Town expends funds to finance public improvements to meet objectives cited within the Plan.

#### Examples of reactive methods include:

- Approving a rezoning application submitted by a property owner consistent with the Comprehensive Plan;
- Site plan review; and
- Subdivision review.

## IMPLEMENTATION PLAN

### Roles of the Comprehensive Plan

#### Guide for Daily Decision-Making

The current physical layout of the Town is a product of previous efforts put forth by many diverse individuals and groups. In the future, each new development that takes place, whether a subdivision that is platted, a home that is built, or a new school, church or shopping center that is constructed, represents an addition to Prosper' physical form. The composite of all such efforts and facilities creates the Town as it is seen and experienced by its citizens and visitors. If planning is to be effective, it must guide each and every individual development decision. The Town, in its daily decisions pertaining to whether to surface a street, to approve a residential plat, to amend a zoning ordinance provision, to enforce the building codes, or to construct a new utility line, should always refer to the basic proposals outlined within the Comprehensive Plan. The private builder or investor, likewise, should recognize the broad concepts and policies of the Plan so that their efforts become part of a meaningful whole in planning the Town.

#### Flexible and Alterable Guide

This 2012 Comprehensive Plan is intended to be a dynamic planning document for Prosper – one that responds to changing needs and conditions. Plan amendments should not be made without thorough analysis of immediate needs, as well as consideration for long-term effects of proposed amendments. The Town Council and other Prosper officials should consider each proposed amendment carefully to determine whether it is consistent with the Plan's goals and policies, and whether it will be beneficial for the long-term health and vitality of Prosper.

#### Annual Review

At one-year intervals, a periodic review of the Plan with respect to current conditions and trends should be performed. Such on-going, scheduled evaluations will provide a basis for adjusting capital expenditures and priorities, and will reveal changes and additions that should be made to the Plan in order to keep it current and applicable long-term. It would be appropriate to devote one annual meeting of the Planning and Zoning Commission to reviewing the status and continued applicability of the plan in light of current conditions, and to prepare a report on these findings to the Town Council. Those items that appear to need specific attention should be examined in more detail, and changes and/or additions should be made accordingly. By such periodic evaluations, the Plan will remain functional, and will continue to give civic leaders effective guidance in decision-making. Periodic reviews of the plan should include consideration of the following:

- The Town's progress in implementing the plan;
- Changes in conditions that form the basis of the plan;
- Community support for the plan's goals, objectives & policies; and
- Changes in State laws.

The full benefits of the Plan for Prosper can only be realized by maintaining it as a vital, up-to-date document. As changes occur and new issues within the Town become apparent, the Plan should be revised rather than ignored. By such action, the Plan will remain current and effective in meeting the Town's decision-making needs.



## IMPLEMENTATION PLAN

### **Complete Review and Update with Public Participation**

In addition to periodic annual reviews, the Comprehensive Plan should undergo a complete, more thorough review and update every 5 or 10 years. The review and updating process should begin with the establishment of a Steering Committee, similar to the one that was appointed to assist in the preparation of this Plan. If possible, this committee or the Planning and Zoning Commission should be in charge of periodic review of the plan. Specific input on major changes should be sought from various groups, including property owners, neighborhood groups, civic leaders and developers and business owners.

### **Regulatory Mechanisms**

The usual processes for reviewing and processing zoning amendments, development plans, and subdivision plans provide significant opportunities for implementing the Plan. Each zoning, development and subdivision decision should be evaluated and weighed against applicable proposals contained within the Plan. If decisions are made that are inconsistent with Plan recommendations, then they should include actions to modify or amend the Plan accordingly in order to ensure consistency and fairness in future decision-making. Amending the Subdivision Ordinance and Zoning Ordinance represent two major proactive measures that the Town can take to implement 2012 Comprehensive Plan recommendations.

### **Zoning Ordinance**

Zoning is perhaps the single most powerful tool for implementing Plan recommendations. The Town's Zoning Ordinance should be updated with the recommendations contained within the chapters of this 2012 Comprehensive Plan. All zoning and land use changes should be made within the context of existing land uses, future land uses, and planned infrastructure, including roadways, water and wastewater.

### *Zoning Text Amendments*

Consideration should be given to updating areas of the zoning ordinance that may allow ideas, principles or design standards identified within this Comprehensive Plan to be more easily achieved. Their implementation will not only improve future development and interaction between land uses, but will also improve Prosper's overall image and livability. Such changes may involve landscaping setbacks, non-residential building design, and additional tree requirements, to name a few. These recommendations should be itemized and prioritized, and should be incorporated into the Zoning Ordinance accordingly.

### *Zoning Map Amendments*

State law gives power to cities to regulate the use of land, but regulations should be based on a plan. Therefore, Prosper's Zoning Map should be as consistent as possible with the Comprehensive Plan, specifically the Future Land Use Plan. It is not reasonable, however, to recommend that the Town make large-scale changes in its zoning map changes immediately. It is therefore recommended that the Town prioritize areas where a change in current zoning is needed in the short-term and that efforts be concentrated on making such changes. In the long-term, consistent zoning policy in conformance with the Future Land Use Plan will achieve the Town's preferred land use pattern over time.

### **Subdivision Ordinance**

The act of subdividing land to create building sites has a major effect on the overall design and image of Prosper. Much of the basic physical form of the Town is currently created by the layout of streets, easements, and lots. In the future, the basic physical form of Prosper will be further affected by such action. Requirements for adequate public facilities are essential to ensure the Town's orderly and

## IMPLEMENTATION PLAN

efficient growth. Plan recommendations, such as cross-access easements, should be incorporated within the Subdivision Ordinance.

### Implementation Goals and Objectives

Implementation is one of the most important, yet most difficult, aspects of the comprehensive planning process. Without viable, realistic strategies for implementation, the recommendations contained within this 2012 Comprehensive Plan will be difficult to realize.

The following section contains the original six community goals established within the Community Vision chapter of this comprehensive plan. Under each of the six community goals, more specific objectives are included to guide plan implementation. The objectives listed are derived from recommendations contained within the comprehensive plan document as well as ideas heard from the CPAC and general public.

**Goal 1. Provide a variety of land uses, in accordance with the vision of Prosper Residents, which diversify the tax base and enable all types of people to live, work, shop, eat and relax in Prosper.**

- Objective 1.1: Provide a range of housing in Prosper, which takes into consideration, among other things, data relating to income, education levels and ethnicity.
- Objective 1.2: Maximize development along the Dallas North Tollway by providing opportunities for Class A office space (office space defined by high-quality furnishings, state-of-the-art facilities and excellent accessibility), corporate campus development and mixed-use retail/residential development.
- Objective 1.3: Create specific landscaping and thematic design guidelines for development along the Dallas North Tollway.
- Objective 1.4: Promote larger-scale master planned developments over small-scale individual developments along the Dallas North Tollway by discouraging individual developments under 5 acres in size.
- Objective 1.5: Maximize development opportunity along Highway 380 by providing nodal commercial and retail activity. Retail, commercial, service and big-box uses should be focused primarily around major intersections with mid-block sections being utilized for medium density residential uses and office space. Continuous strip development should be avoided.
- Objective 1.6: Utilize the Town Center for a regional draw, bringing in patrons from outside of Prosper.
- Objective 1.7: Ensure that the core of the Town Center contains a higher degree of urban design with buildings situated up to the building line, wide sidewalks, street trees and pedestrian amenities. Preferred examples include the Shops at Legacy and the Shops at Watters Creek.
- Objective 1.8: Include public space within the Town Center to serve as a focal point for the Town Center and to provide space for community events and festivals.
- Objective 1.9: Encourage the use of structured parking within the Town Center and Dallas North Tollway Districts to minimize the negative impact of large scale parking lots. Require structured parking to be strategically located to minimize visibility from the public view.
- Objective 1.10: Include public facilities, such as a new Town Hall, Community Services facility or Library, within the Town Center or Old Town districts.



## IMPLEMENTATION PLAN

- Objective 1.11: Provide a network of connections, both vehicular and pedestrian, that allow movement and access to various portions of the Town Center and adjacent neighborhoods and districts.
- Objective 1.12: Preserve the integrity of Old Town and encourage complementary and compatible redevelopment and infill development including new single family residences containing a farm/ranch theme, residential to office conversions and “main street” retail with studio apartments along the western end of Broadway.
- Objective 1.13: Plant trees within the parkway along roads in Old Town to establish a mature tree canopy thereby contributing to the historic theme of the area.
- Objective 1.14: Utilize the Old Town Roadway Plan to prioritize street improvements within Old Town and utilize street improvements to facilitate new development.
- Objective 1.15: Utilize the BNSF railroad to create a high-tech, clean industry Business Park.

### **Goal 2. Maintain and enhance the high quality of life and small-town feel currently available and expected by Prosper residents.**

- Objective 2.1: Encourage the implementation of the Parks Master Plan as development occurs to facilitate the creation of an interconnected park and trails system in Prosper at buildout.
- Objective 2.2: Update the 2004 Facilities Master Plan to ensure that public facilities, such as fire, police and other public services, are coordinated with land use projections in the Future Land Use Plan.
- Objective 2.3: Work with Prosper Independent School District to coordinate future school facilities planning with land use projections in the Future Land Use Plan.
- Objective 2.4: Continue to require developers to dedicate 1 acre of park land for every 35 dwelling units constructed.
- Objective 2.5: Encourage developers to preserve riparian zones and mature tree stands on development sites and utilize such areas for residential park and open space areas.
- Objective 2.6: Preserve existing tree cover, when possible, by creating a tree preservation ordinance and by conducting a natural assets inventory plan.
- Objective 2.7: Encourage the use of rural design characteristics on new roadway construction projects including the use of traditional lighting features, wide setbacks, native plant materials, wildflowers and increased tree coverage.
- Objective 2.8: Utilize cladding and form-lining at culvert crossings to create the impression of a roadway bridge.
- Objective 2.9: Determine if certain roadways within the community can maintain their existing rural context, particularly roadways that may not require widening to meet future demands.
- Objective 2.10: Identify roadways that may be intentionally designed to be more rural in character, potentially containing bioswales and other natural drainage features. Appropriate roadways may include those that traverse residential districts and contain little if any commercial development.
- Objective 2.11: Encourage developers to use native planting materials and rural planting designs within the private setback zone/landscape easement.
- Objective 2.12: Develop and utilize design guidelines that address the use of rural characteristics on development walls, neighborhood entrances and other accessory structures visible from the public right-of-way.

## IMPLEMENTATION PLAN

Objective 2.13: Consistently use rural architectural/design guidelines within neighborhood service retail centers.

Objective 2.14: Consider “dark skies.”

Objective 2.15: Work with the Prosper Historical Society to encourage the preservation of key historic landmarks within Old Town and ensure that new development within Old Town is designed to reflect an early 20<sup>th</sup> century historic theme.

### Goal 3. Protect the quality and integrity of Prosper’s neighborhoods.

Objective 3.1: Encourage the development of quality housing throughout Prosper that meets the needs of a diversity of housing needs, taking into consideration, among other things, data relating to income, education levels and ethnicity, for the full life-cycle of citizens to include, but not limited to:

- Ensure that there are provisions for meeting the housing type and affordability needs of families with children, single parents with children, young adults just leaving home, young professionals, empty-nesters retirees and the elderly.
- Ensure that there is an adequate supply of workforce housing throughout Prosper for those who work in the service industry in Prosper.
- Ensure that all homes are situated with an appropriate level of positive attributes to maintain desirability, value and reinvestment.

Objective 3.2: Require the use of long-lasting/durable building materials, such as stone or brick, and encourage the use of high pitched roofs to enhance the overall housing appearance.

Objective 3.3: Require the formation of neighborhood associations (HOAs) with all new developments to maintain common property, provide a sense of identity and encourage long-term private property maintenance.

Objective 3.4: Encourage developers to include neighborhood amenities such as parks, open spaces, neighborhood pools and other such features which enhance the overall desirability of individual neighborhoods.

Objective 3.5: Encourage developers to arrange lots in a manner that maximizes residential access to open space when natural areas are present.

Objective 3.6: Work with developers to ensure that the majority of lot sizes within a given development are over 12,500 square feet in size.

Objective 3.7: Low density residential areas should not exceed a gross density of 1.6 dwelling units per acre.

Objective 3.8: Medium density residential areas should not exceed a gross density of 2.5 dwelling units per acre.

Objective 3.9: Ensure that single family residential neighborhoods are protected from more intensive areas of development, such as development located within the Dallas North Tollway, Town Center, Business Park and Highway 380 districts, by using screening and buffering techniques. Screening may include enhanced landscaping, brick or masonry screening walls and landscaping berms, among others.

Objective 3.10: Encourage the use of floodways as a natural buffer between low and high intensity areas.



## IMPLEMENTATION PLAN

Objective 3.11: Utilize the trail network identified within the Park Plan to provide access to the network of community parks and to enhance connectivity between individual neighborhoods.

Objective 3.12: Ensure that neighborhoods have at least two roadway access points and encourage roadway connections between neighborhoods to provide more direct and interconnected forms of vehicular and pedestrian travel.

### **Goal 4. Require high-quality and visually attractive architectural characteristics in both residential and non-residential developments.**

Objective 4.1: Zone key roadway intersections for retail while utilizing remaining land adjacent to major roadways for residential to avoid stripped out arterial roadways

Objective 4.2: Avoid four-corner retail zoning to avoid an oversupply of retail zoning.

Objective 4.3: Limit driveways within 150 feet of major intersections to encourage larger scale, master planned retail centers over individual retail establishments.

Objective 4.4: Encourage the creation of nodal, master planned retail centers over strip center developments to encourage long term viability and investment in retail centers. No additional unanchored strip retail is recommended.

Objective 4.5: Mandate the use of high-quality building materials, such as brick and stone, to protect the long-term durability of non-residential construction. Require all non-residential developments to be 100% masonry and prohibit metal building construction.

Objective 4.6: Create a menu-choice matrix for non-residential developments, requiring new developments to choose from a palate of predetermined colors and styles.

Objective 4.7: Require architectural enhancements, such as pitched roofs, awnings, enhanced canopies and building articulation to create visually attractive developments.

Objective 4.8: Require all parking rows to contain ending landscape islands.

Objective 4.9: Encourage the planting of trees within parking lots so that 25% of the parking lot is covered by a shade canopy at tree maturity.

Objective 4.10: Encourage large parking lots to contain a shaded pedestrian way.

Objective 4.11: Incentivize the use of dispersed landscaped stormwater areas within parking lots rather than large detention ponds. Allow stormwater best management practices (BMPs) to count towards a portion of landscaping requirements.

Objective 4.12: Encourage the use of thematic, decorative and enhanced lighting features within the public right-of-way, residential areas (when necessary) and retail/commercial areas.

### **Goal 5. Develop a quality and functional transportation network that enhances the Town's image and provides safe and convenient residential mobility.**

Objective 5.1: Utilize the updated Thoroughfare Plan Map as future roadway improvements are designed and constructed.

Objective 5.2: Ensure that Prosper's thoroughfare network is coordinated with neighboring communities and work to negotiate and resolve any conflicting issues.

Objective 5.3: Utilize the functional street classification system, a hierarchical network of roadway classifications, to create a network of major and minor thoroughfares, collector and local streets.

Objective 5.4: Utilize shared access and cross-access easements to provide connectivity between adjacent non-residential uses, limiting the number of driveways along major corridors and allowing for more continuous landscaping.



## IMPLEMENTATION PLAN

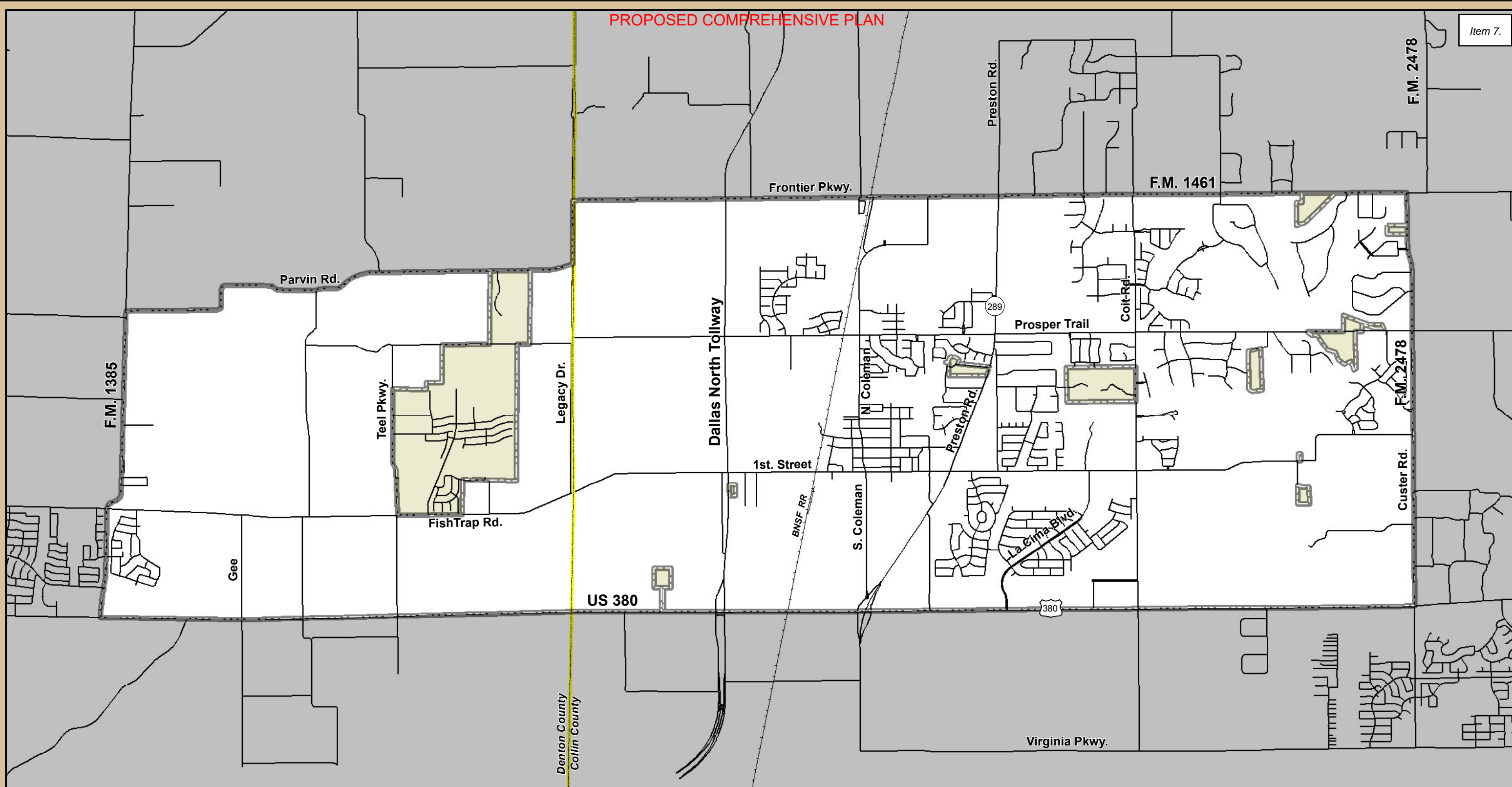
- Objective 5.5: Connect various portions of the community, including neighborhoods, the Town Center, Old Town, public facilities and parks, with a system of pedestrian and bicyclist trails to provide interconnectivity and create a system of non-motorized linkages within the community.
- Objective 5.6: Ensure that sufficient right-of-way is acquired and dedicated during platting or roadway design to accommodate ultimate roadway configurations and designated trails.
- Objective 5.7: Utilize Context Sensitive Solutions to design roadways within the context of their adjacent development.
- Objective 5.8: Utilize the Old Town District Roadway Plan as a guide during roadway design within the Old Town area.
- Objective 5.9: Create backage roads along the Dallas North Tollway to support development connectivity and accessibility.
- Objective 5.10: Upgrade Hays Road to a commercial collector to support and provide back access to future commercial and retail development along Preston Road.
- Objective 5.11: Extend and realign South Coleman Road to intersect with Richland Boulevard. at Preston Road providing connectivity between Old Town, the Town Center and development along Highway 380.
- Objective 5.12: Include access roads along Highway 380, between the Lovers Lane Loop, in order to provide access to development along the grade-separated segment of Highway 380.
- Objective 5.13: Create a streetscape design program that intentionally characterizes individual roadways based upon anticipated forms of development.
- Objective 5.14: Investigate amending the Town ordinances to allow for ornamental walls and fences and other types of materials, such as split iron/wood. Identify key corridors where standards would be applicable in order to create greater corridor consistency.
- Objective 5.15: Consider wider setbacks along Preston Road with enhanced landscaping to maintain a more rural feel and to create a larger barrier between Preston Road and adjacent neighborhoods.
- Objective 5.16: Monitor regional rail initiatives for changes or updates to the Frisco Commuter Rail Line, particularly how such changes impact Prosper.

**Goal 6. Ensure that water, wastewater and stormwater infrastructure is able to meet future growth demands.**

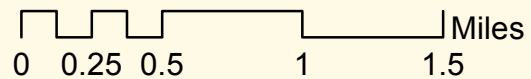
- Objective 6.1: Investigate any deficiencies in the infrastructure systems.
- Objective 6.2: Develop concepts that will address deficiencies of the infrastructure systems.
- Objective 6.3: Strive for an infrastructure system that will effectively and economically serve existing and projected needs of the community in a safe and efficient manner.
- Objective 6.4: Ensure that infrastructure is comparable or expanded to support future development, specifically in key development areas.



# 2012 COMPREHENSIVE PLAN PLATES



January 2012



Legend

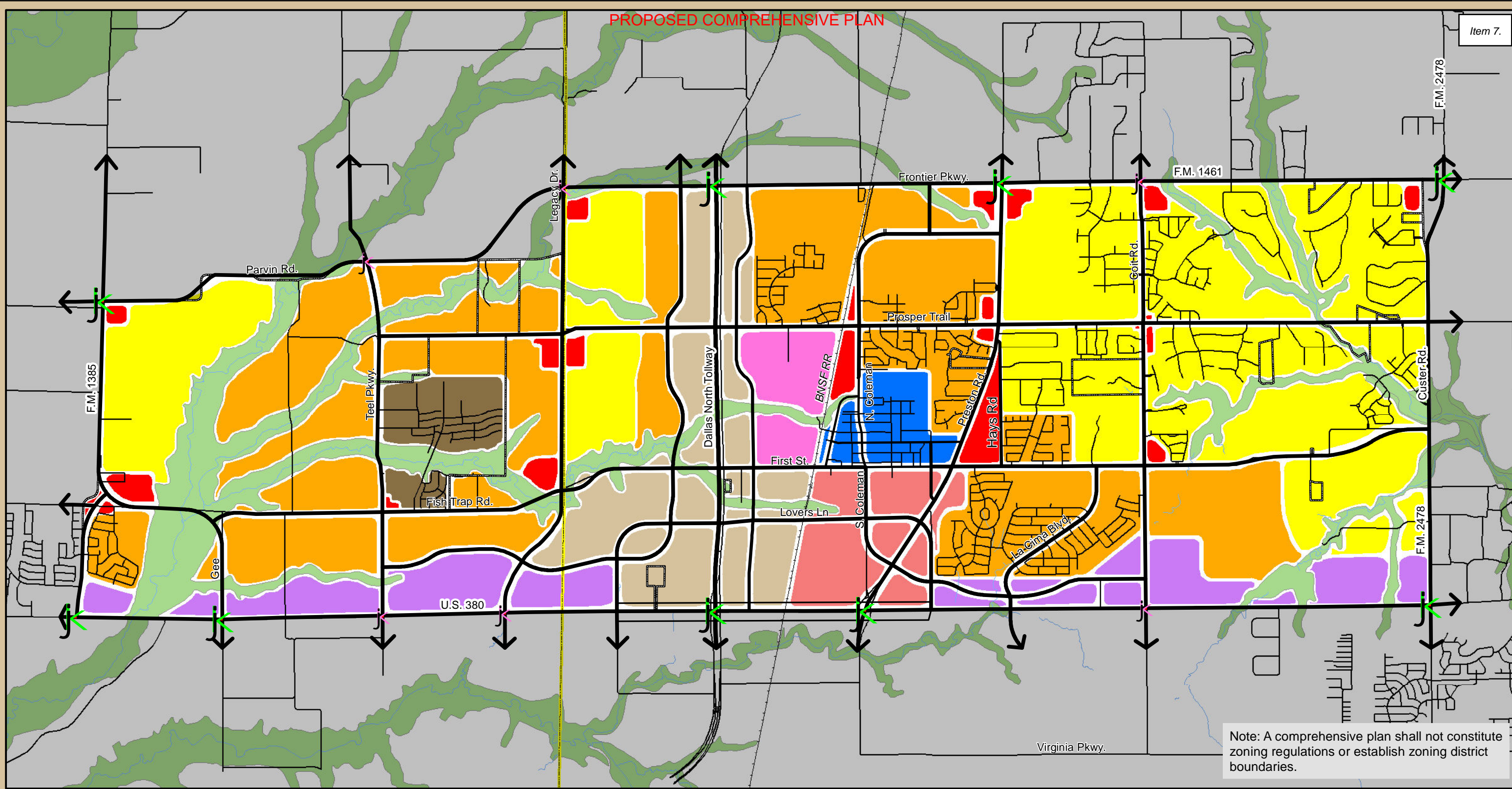
- TOWN
- ETJ

City Limit and ETJ



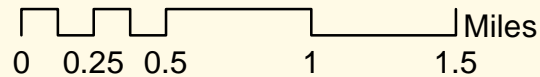
PROPOSED COMPREHENSIVE PLAN

Item 7.



Note: A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

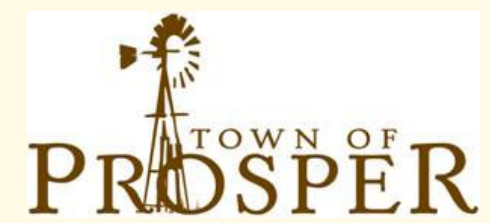
July 2012



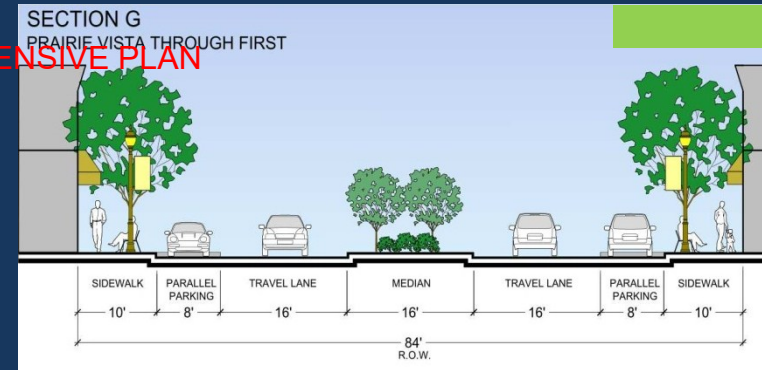
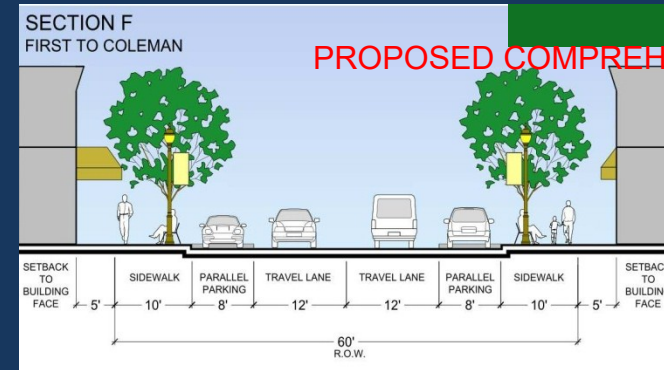
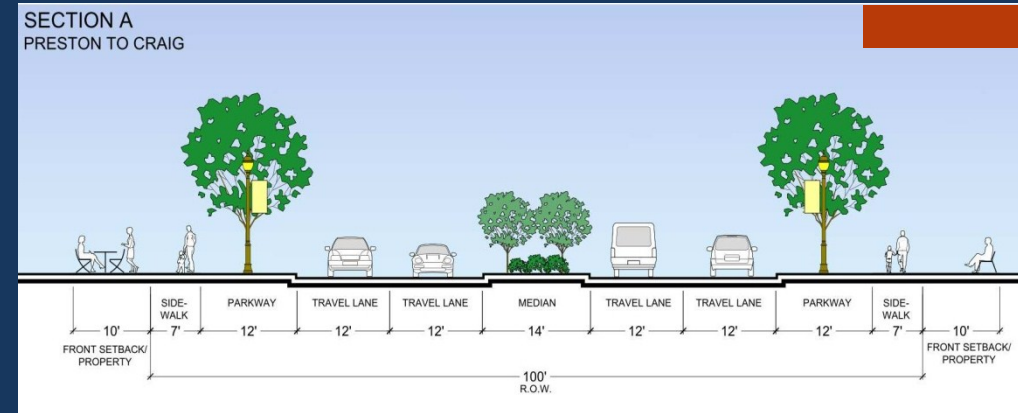
Legend

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Retail & Neighborhood Services
- Business Park
- Old Town District
- Town Center
- Tollway District
- US 380 District
- 100 Year Floodplain
- K Major Gateway
- k Minor Gateway
- + Town of Prosper
- + ETJ

# Future Land Use Plan



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**Section A:** Four lane divided roadway with a landscaped parkway and a landscaped parkway separating pedestrians from traffic. This section serves as a major entrance into Old Town from the east. No on-street parking.

**Section B:** Two lane divided boulevard with a large center median containing landscaping. Wide travel lanes allow for bicycle accommodation and a landscaped parkway separates pedestrians from traffic. No on-street parking.

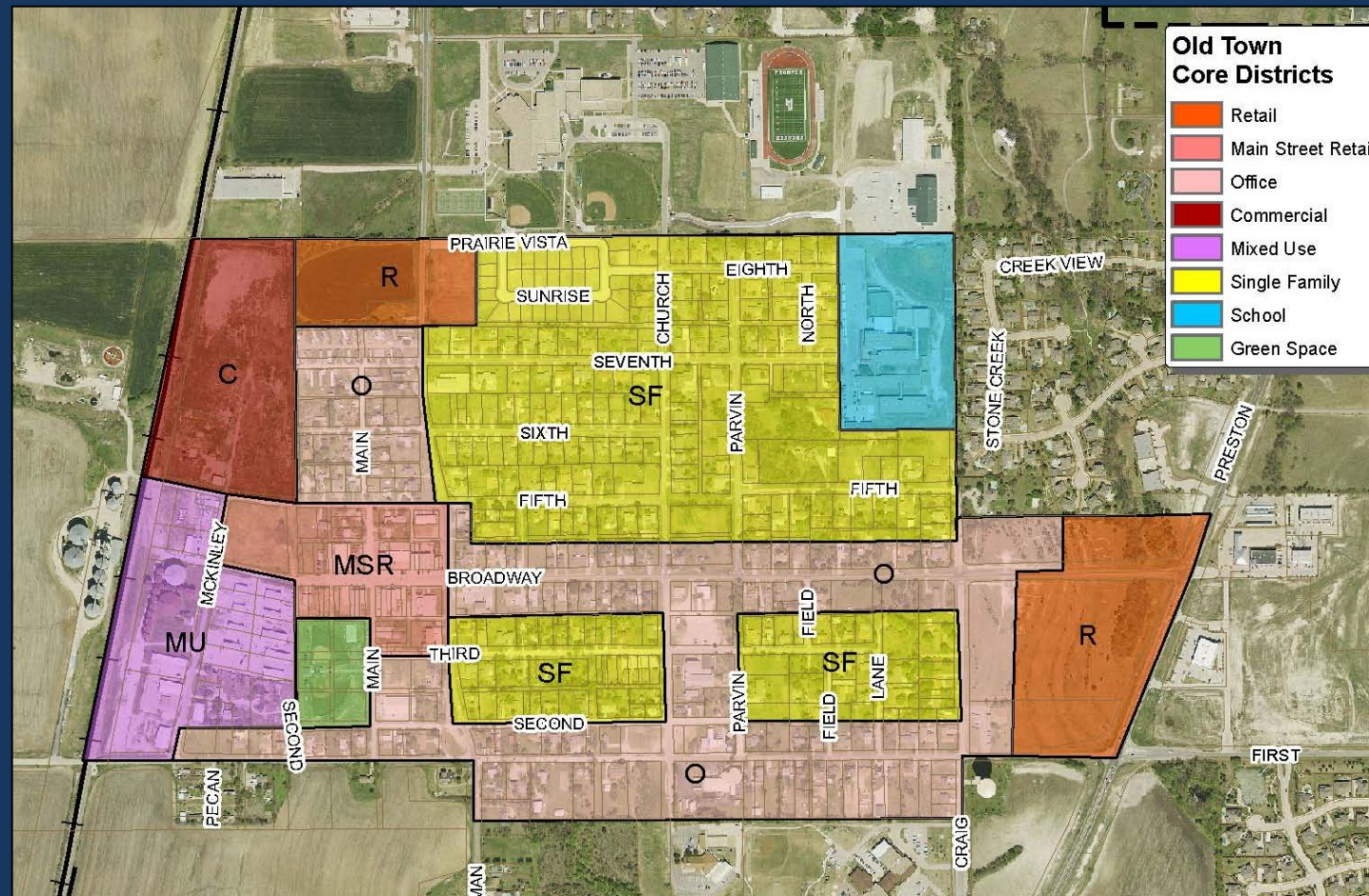
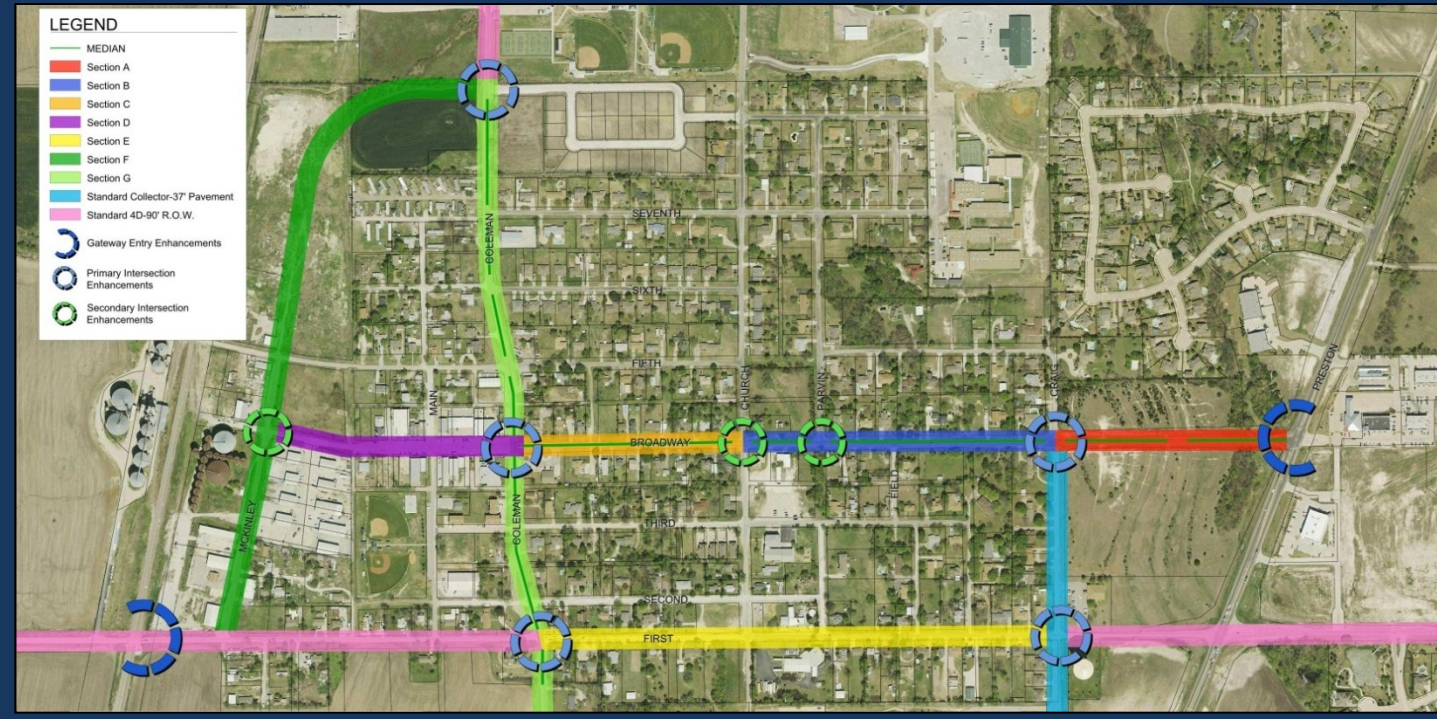
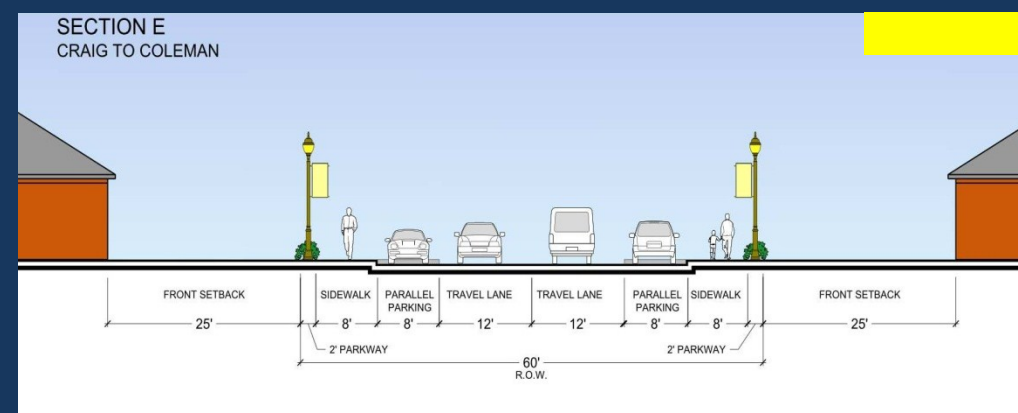
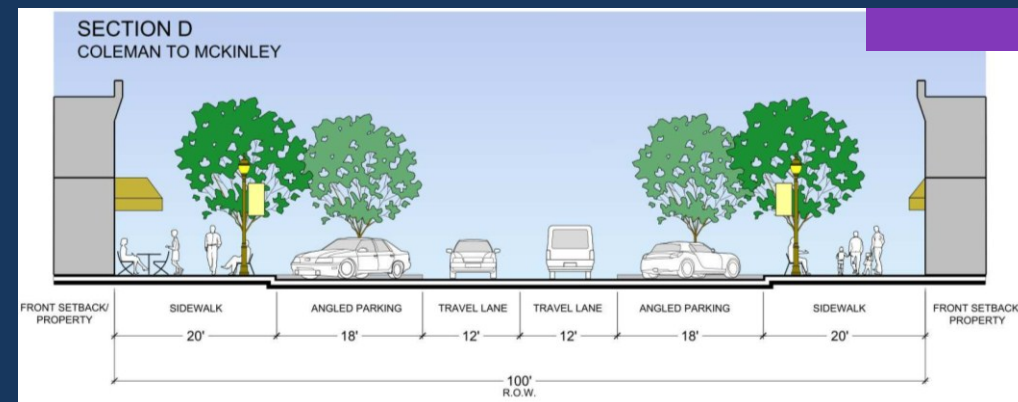
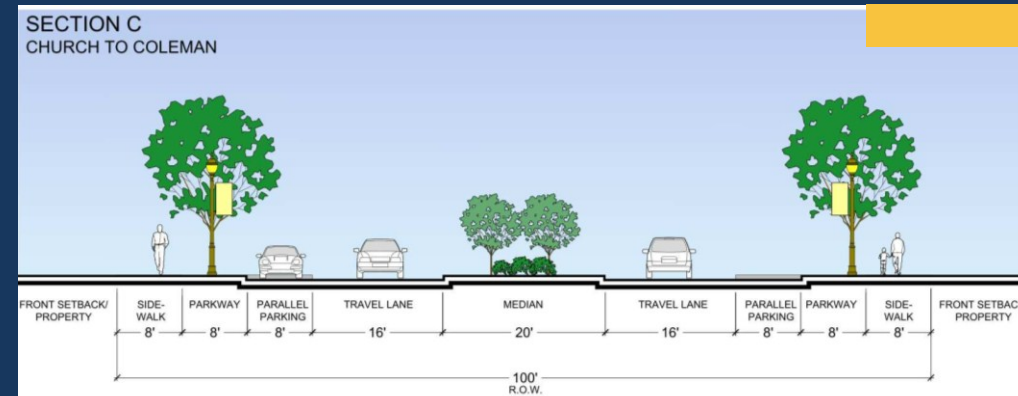
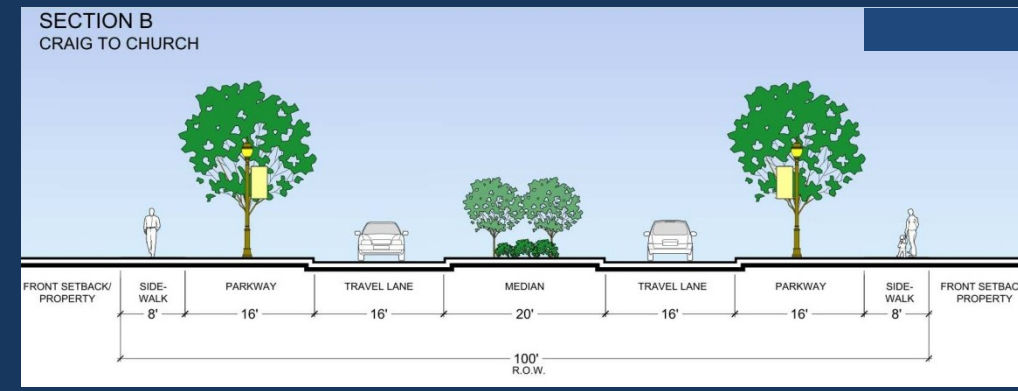
**Section C:** Two lane divided boulevard with a large center median containing landscaping. On-street parallel parking is permitted and a landscaped parkway separates pedestrians from traffic.

**Section D:** Two lane undivided urban roadway. Wide 20' sidewalks accommodate patio seating, pedestrian traffic and street trees. On-street angled parking is permitted and bulb-outs are located at intersections to enhance pedestrian visibility at crosswalks.

**Section E:** Two lane undivided roadway with on-street parallel parking and an immediately adjacent 8' sidewalk. A large private setback of 25' is included.

**Section F:** Two lane undivided roadway with on-street parallel parking and a 15' sidewalk. 10' of the sidewalk will be located within the right-of-way and the additional 5 feet will be a 5' setback to building face.

**Section G:** Two lane divided roadway with a center median containing landscaping. On-street parallel parking and a 10' sidewalk are included.



**Land Use**

The predominant land use within Old Town will be **single-family residential**. All infill development within such areas should conform to the architectural guidelines established for the Old Town district. Such guidelines are created to protect the continuity of look and feel within Old Town.

Along Broadway and First Street, single-family uses will gradually transition to boutique, cottage-style **office** and/or specialty retail uses. Broadway west of Coleman, will be the retail core of the downtown.

Shops, restaurants, and small office uses may be located within the **main street retail** area. This area is intended to be the heart and main activity center of the Old Town Area. As redevelopment occurs, building frontages should be brought to the property line to be consistent with ultimate streetscape improvements.

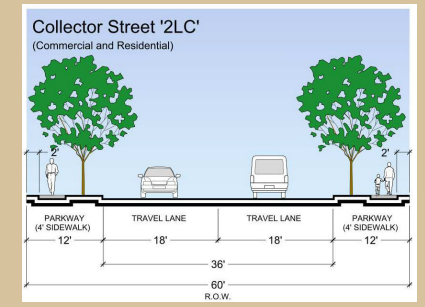
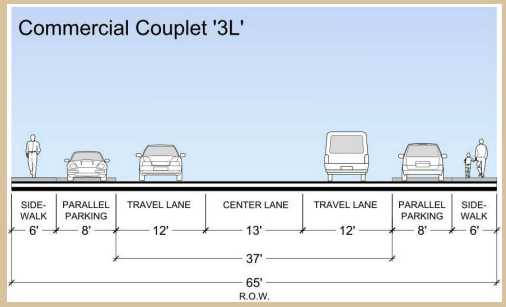
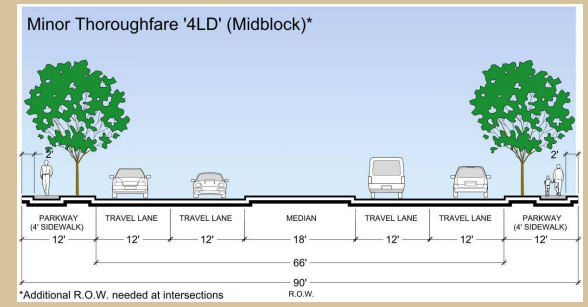
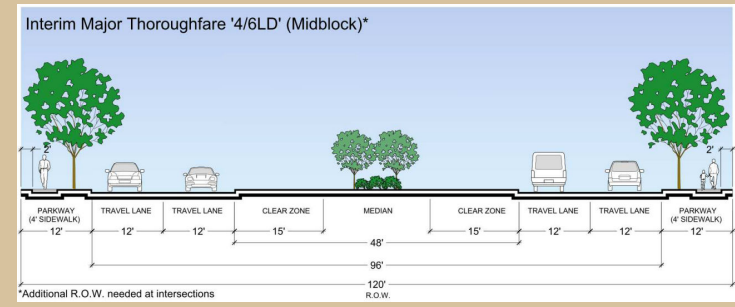
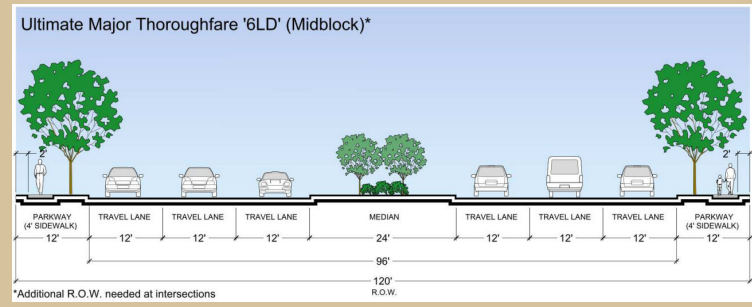
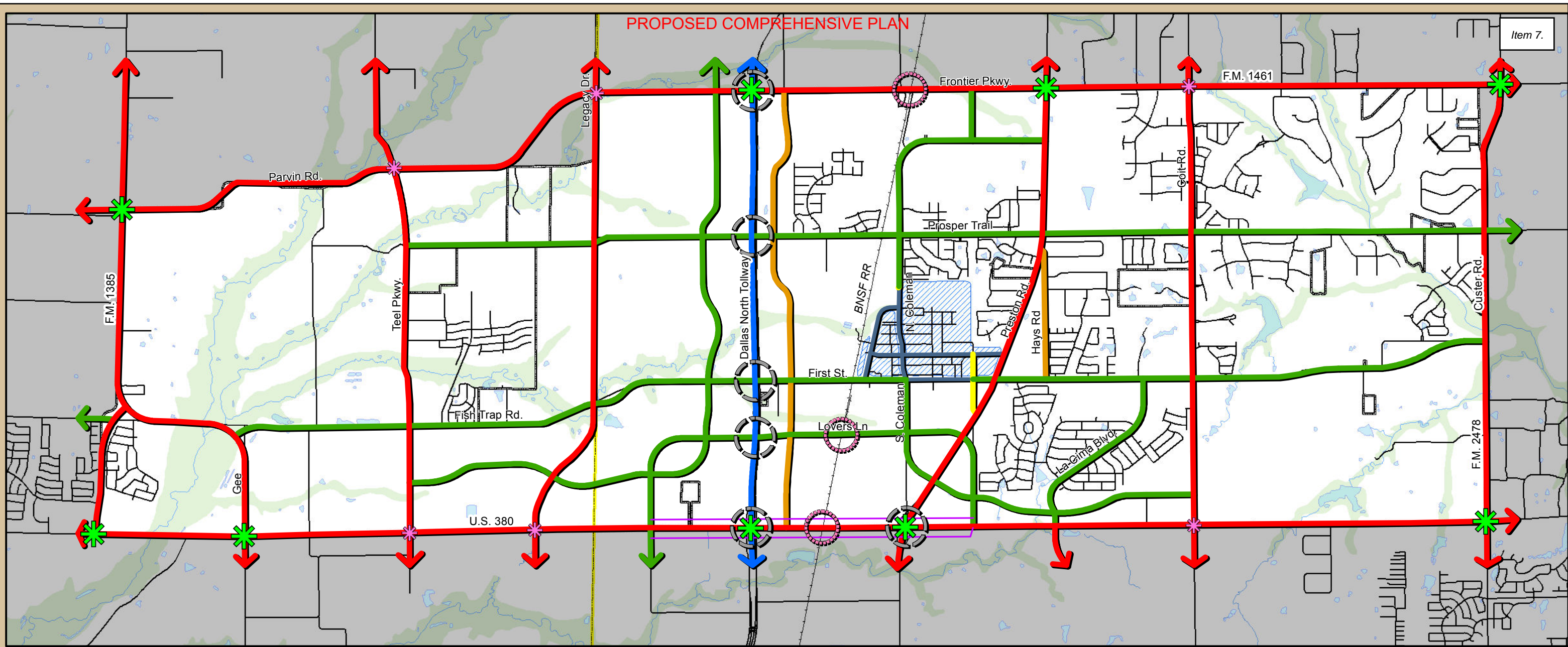
Adjacent to the retail core, a **mixed-use** district incorporating mixed use lofts/apartments will serve as a buffer between the Business Park and the core of Old Town. This area will also provide rooftops that service adjacent retail establishments.

The **Green space** area will serve as a community park and its location adjacent to the retail core of Old Town and the mixed-use district will make it an opportunistic and useable open space area.

Niche **retail** is recommended along Preston Road and at the northern end of Coleman. Retail development within these areas should fit within the architectural framework of the Old Town area. Setback reduced, when possible, along Coleman and Broadway roadways.

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**Thoroughfare Description**

- Dallas North Tollway
- Major Thoroughfare (6 lane; 120' ROW)
- Minor Thoroughfare (4 lane; 90' ROW)
- Commercial Couplet (3 lane; 65' ROW)
- Commercial Collector (2 lane; 60' ROW)
- Old Town District (Section varies)
- Access Roads

Major Gateway  
 Minor Gateway  
 Grade Separation  
 RR Grade Separation

Town of Prosper  
 ETJ  
 100 Year Floodplain

Miles  
 0 0.25 0.5 1 1.5

**TOWN OF PROSPER**

**Thoroughfare Plan**

**Plate 3**  
March 2012

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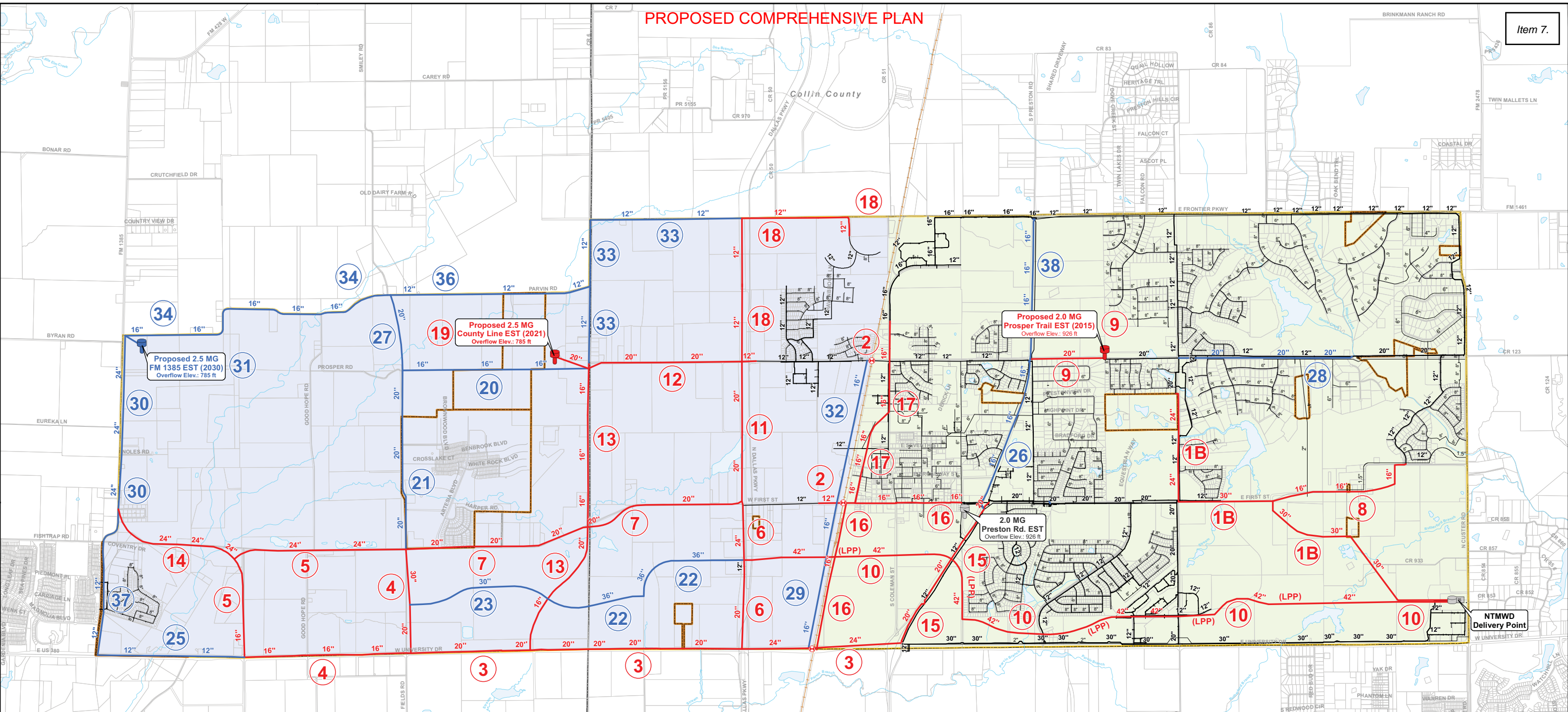


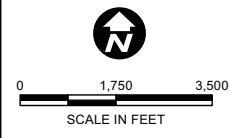
PLATE 4  
 TOWN OF PROSPER  
 BUILDOUT WATER SYSTEM  
 CAPITAL IMPROVEMENT PROJECTS

LEGEND

- Pressure Reducing Valve
- 2011 - 2021 Elevated Storage Tank
- 2022 - Buildout Elevated Storage Tank
- Existing Elevated Storage Tank
- Existing Ground Storage Tank
- Existing Pump Station
- 2011 - 2021 Water Line Improvement
- 2022 - Buildout Water Line Improvement
- 8" and Smaller Water Lines
- 10" and Larger Water Lines
- Road
- Railroad
- Stream
- Lake
- Parcel
- Town Limit
- ETJ Boundary
- County Boundary
- Lower Pressure Plane
- Upper Pressure Plane

**NTMWD Delivery Point Improvements**

- 1A** Expand UPP PS to 20 MGD and Add 5.0 MG GST (2013)
- 10** Construct 10 MGD LPP Pump Station (2018)
- 24** Expand UPP PS to 30 MGD, Add 5.0 MG GST and Expand LPP to 25 MGD (2024)
- 35** Expand LPP PS to 40 MGD and Add 5.0 MG GST (2034)



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PROPOSED COMPREHENSIVE PLAN

Item 7.

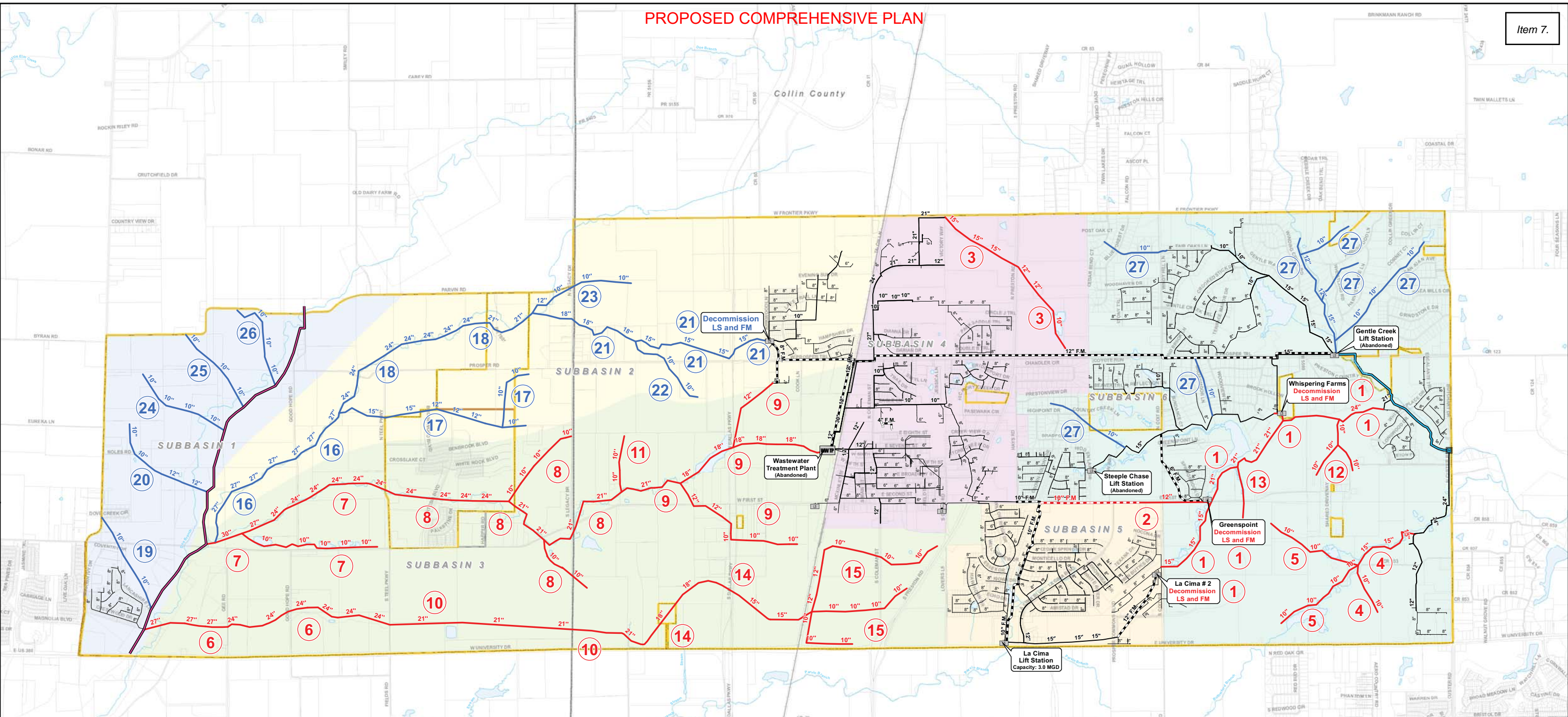


PLATE 5  
TOWN OF PROSPER  
BUILDOUT WASTEWATER SYSTEM  
CAPITAL IMPROVEMENT PROJECTS

LEGEND

- Wastewater Treatment Plant
- Existing Lift Station
- NTMWD Meter
- Existing 10" and Larger Wastewater Line
- Existing 8" and Smaller Wastewater Line
- Existing Force Main
- 2011- 2021 Wastewater Line
- 2022- Buildout Wastewater Line
- UTRWd Wastewater Line
- NTMWD Wastewater Line
- Road
- Railroad
- Stream
- Lake
- Parcel
- Town Limit
- ETJ Boundary
- County Boundary

MAJOR BASINS

- Subbasin 1
- Subbasin 2
- Subbasin 3
- Subbasin 4
- Subbasin 5
- Subbasin 6



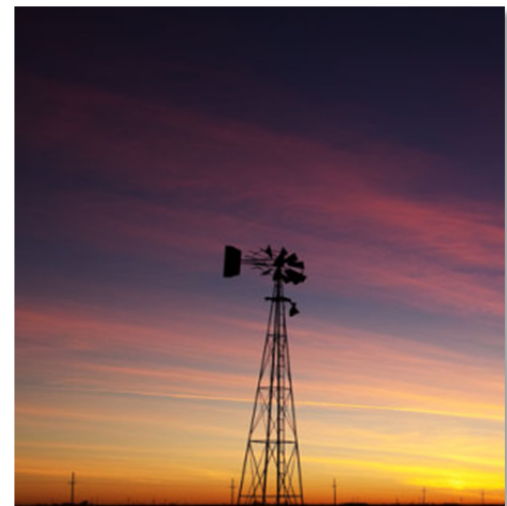
Copyright © 2012 by Freese and Nichols, Inc.  
 Location: 11111 W. Plano Road, Suite 100, Dallas, Texas 75241  
 Project: Prosper, Texas - Wastewater System Capital Improvements - Plate 5 - Wastewater, CIP, 2011, and Buildout  
 Date: November 26, 2011 10:44 AM



**Freese and Nichols, Inc.**

1705 N. Market Street  
Suite 500  
Dallas, Texas 75202  
(214) 217-2200

[www.freese.com](http://www.freese.com)



## TOWN OF PROSPER, TEXAS

## ORDINANCE NO. 2020-

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, AMENDING THE TOWN OF PROSPER'S COMPREHENSIVE PLAN, ORDINANCE NO. 12-21; PROVIDING FOR AN ADMINISTRATIVE UPDATE TO THE PLANNING CONTEXT, COMMUNITY CHARACTER, AND TRANSPORTATION CHAPTERS OF THE COMPREHENSIVE PLAN, AND UPDATES TO THE BASE MAPS OF THE COMPREHENSIVE PLAN, PROVIDE FOR REPEALING, SAVING AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, the Town Council of the Town of Prosper, Texas ("Town Council"), has investigated and determined that the Town of Prosper ("Prosper") Comprehensive Plan, adopted by Ordinance No. 12-21, as amended, should be amended by providing for administrative updates to the Planning Context, Community Character, and Transportation chapters of the Comprehensive Plan, and updates to the base maps of the Comprehensive Plan; and

**WHEREAS**, The Town of Prosper has complied with all notices and public hearings as required by law; and

**WHEREAS**, the Town Council finds that it will be advantageous, beneficial, and in the best interests of the citizens of Prosper to amend portions of the Comprehensive Plan as set forth below.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:**

### **SECTION 1**

Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

### **SECTION 2**

Amendment to Prosper's Comprehensive Plan, Ordinance No. 12-21. The Town of Prosper's Comprehensive Plan, adopted by Ordinance No. 12-21, as amended, is hereby amended to provide for an administrative update to the Planning Context, Community Character, and Transportation chapters of the Comprehensive Plan, and updates to the base maps of the Comprehensive Plan.

### **SECTION 3**

Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Prosper hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

**SECTION 4**

Savings/Repealing Clause. Prosper's Comprehensive Plan, adopted by Ordinance 12-21, shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the appeal prevent a prosecution from being commenced for any violation if occurring prior to the repealing of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

**SECTION 5**

Effective Date. This Ordinance shall become effective from and after its adoption.

**DULY PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 27<sup>TH</sup> DAY OF OCTOBER, 2020.**

---

**Ray Smith, Mayor**

**ATTEST:**

---

**Melissa Lee, Town Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

---

**Terrence S. Welch, Town Attorney**

## PLANNING



**To: Mayor and Town Council**

**From: John Web, AICP, Director of Development Services**

**Through: Harlan Jefferson, Town Manager  
Rebecca Zook, P.E., Executive Director of Development & Infrastructure Services**

**Re: Town Council Meeting – October 27, 2020**

---

**Agenda Item:**

Discussion on a proposed Dallas North Tollway (DNT) Overlay District regarding permitted land uses.

**Background/Description of Agenda Item:**

At the September 22<sup>nd</sup> Town Council meeting, staff reviewed the possible concepts of an Overlay District for properties abutting the DNT. With the DNT anticipated to consist of the most intense land uses and the best opportunity to accommodate employment centers, the Town Council noted the need to protect the potential of the corridor. The Council requested an analysis of the permitted land uses per the current zoning adjacent to the DNT.

As referenced on the attached zoning map, the corridor consists of a multitude of “straight” zoning districts and Planned Developments. The majority of the corridor zoned for the straight zoning districts consists of the,

1. Retail (R) District,
2. Commercial (C) District, and the
3. Commercial Corridor (CC) District

There are some areas of Agricultural (AG) and Single Family (SF) zoning that were established at the time of annexation that may be the subject of future requests for nonresidential zoning. The AG zoning consists of approximately 35 acres at the southeast corner of DNT and Safety Way. The SF zoning consists of approximately 17 acres and is the site of two (2) of the nonconforming batch plants.

The predominant Planned Development Districts (PD’s) along the DNT are noted below. Beginning at the north end of DNT at Frontier Parkway and moving to the south, the PD’s consist of,

1. PD-69 – Metten Tract, located along the east side of the DNT, south of Frontier Pkwy, with a base zoning of Retail;
2. PD-75 – Mandira Realty Tract, located along the west side of the DNT, north of Prosper Trail, with a base zoning of Retail;

3. PD-33 – Prestonwood Baptist Church, located along the east side of the DNT, south of Prosper Trail, with a base zoning of Office;
4. PD-66 – Star Trail, located along the west side of the DNT, south of Prosper Trail, with a base zoning of Retail; and
5. PD-41 – Prosper West (Children’s Health and Matthews SW), located along the west side of the DNT, north of US 380 with mixed uses.

Approximately 1,000 feet of frontage on the east side of the DNT between Prosper Trail and Frontier is zoned PD-35 permitting 419 garden style apartments.

In response to the Town Council’s request to understand the number and type of zoning entitled land uses, the attached Exhibits A-C depict the type of land uses either permitted by right or by permitted by Specific Use Permit (SUP) for the above-referenced zoning districts and PD’s. There are 68 land uses permitted by right and 24 land uses permitted upon approval of a SUP along the DNT corridor.

In keeping with the anticipated vision of future development along the DNT, Exhibit D is staff’s initial, proposed list of land uses to be either 1) permitted by right, 2) permitted upon approval of a SUP, 3) permitted with conditional development standards, or 4) prohibited.

As discussed at the September 22<sup>nd</sup> meeting, there are additional components of an Overlay District regarding development standards. Most significantly, is the allowance of greater heights and floor area ratios adjacent to DNT to allow property owners to achieve greater intensity of uses as envisioned by the Comprehensive Plan. Other components for consideration will include but not limited to building orientation; location of surface and structured parking lots, and landscaping. The Town Council will be provided the opportunity to review these draft standards as step two (2) in the process.

**Attached Documents:**

DNT Corridor Zoning

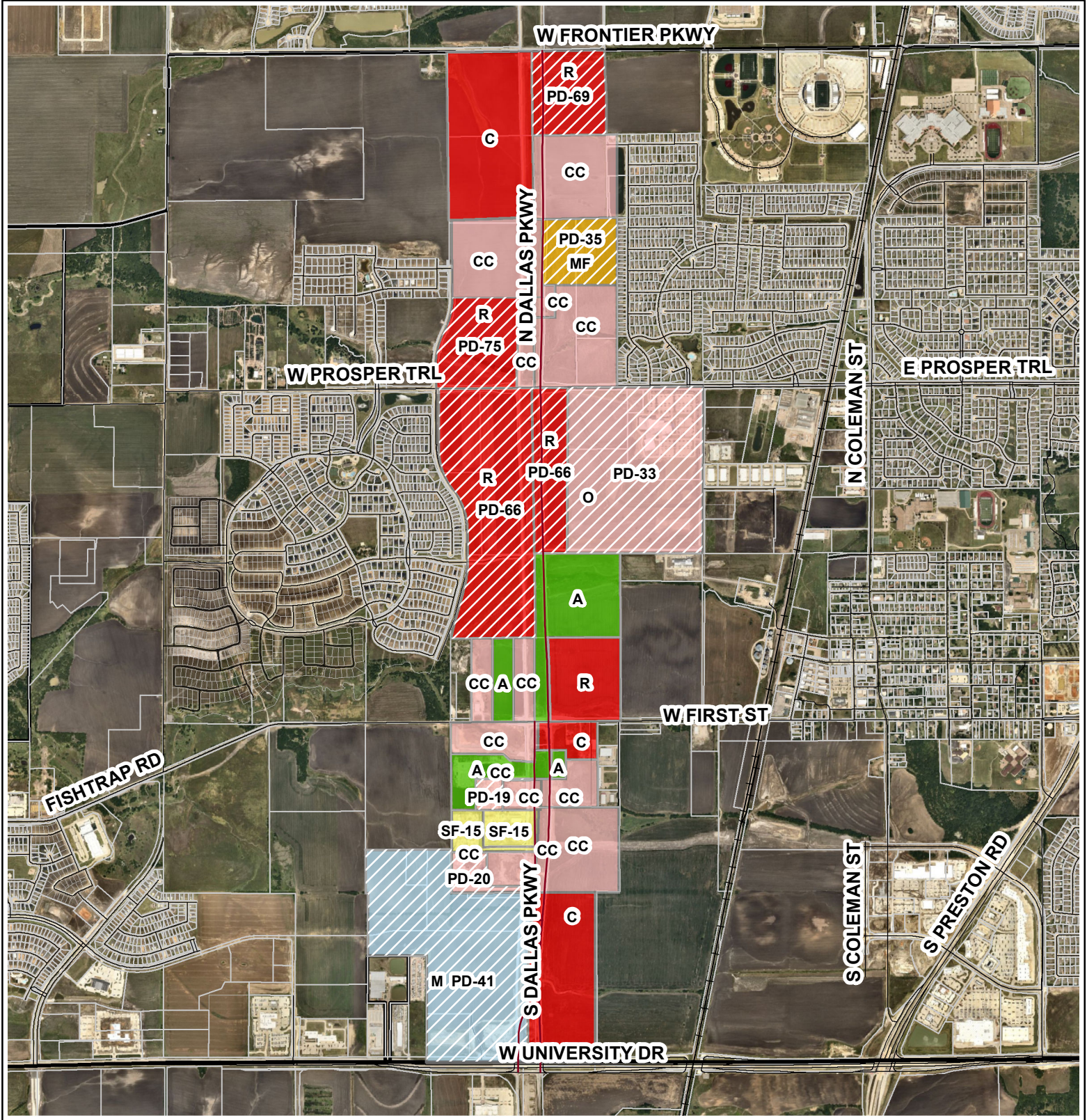
- Exhibit A Uses permitted in the Retail, Commercial, and Commercial Corridor Districts adjacent to the DNT
- Exhibit B Uses permitted in PD-33, PD-41, and PD-66
- Exhibit C Uses permitted PD-69 and PD-75
- Exhibit D Staff’s proposed list of permitted and deleted uses

**Town Staff Recommendation:**

In order to maximize the economic potential of the Dallas North Tollway, being a major, regional highway bisecting the Town, staff developed the list of appropriate uses along the DNT. Staff desires feedback on the list and any further input on elements to be considered the next phase of creating the development standards.

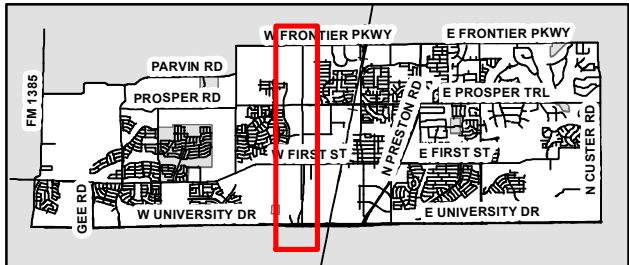
# Dallas North Tollway Adjacent Zoning

Item 8.



0 0.25 0.5 Mile

This map is for illustration purposes only.



**Exhibit A**  
**Straight Zoning Districts Adjacent to DNT**

| Use  | Retail District    |                       | Commercial District |                       | Commercial Corridor |                       |
|--|--------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|
|  | Permitted by Right | Permitted only by SUP | Permitted by Right  | Permitted only by SUP | Permitted by Right  | Permitted only by SUP |
| Administrative, Medical, or Professional Office            | √                  |                       | √                   |                       | √                   |                       |
| Alcoholic Beverage Establishment (Bar)                     |                    | √                     |                     | √                     |                     | √                     |
| Alcoholic Beverage Sales                                   | √                  |                       | √                   |                       | √                   |                       |
| Antique Shop and Used Furniture                            | √                  |                       | √                   |                       | √                   |                       |
| Artisan's Workshop   | √                  |                       | √                   |                       |                     |                       |
| Assisted Living Facility                                   |                    | √                     |                     | √                     | √                   |                       |
| Athletic Stadium or Field, Private                         |                    | √                     |                     | √                     |                     | √                     |
| Athletic Stadium or Field, Public                          | √                  |                       | √                   |                       | √                   |                       |
| Auto Parts Sales, Inside                                   | √                  |                       | √                   |                       |                     |                       |
| Automobile Paid Parking Lot/Garage                         | √                  |                       | √                   |                       | √                   |                       |
| Automobile Parking Lot/Garage                              | √                  |                       | √                   |                       | √                   |                       |
| Automobile Repair, Major (Paint & Body or Outdoor Storage) |                    |                       |                     | √                     |                     |                       |
| Automobile Repair, Minor                                   |                    | √                     |                     | √                     |                     | √                     |
| Automobile Sales, Used                                     |                    |                       |                     | √                     |                     | √                     |
| Automobile Sales/Leasing, New                              |                    |                       |                     | √                     |                     | √                     |
| Automobile Storage   |                    |                       |                     | √                     |                     |                       |
| Bank, Savings and Loan, or Credit Union                    | √                  |                       | √                   |                       | √                   |                       |
| Beauty Salon/Barber Shop                                   | √                  |                       | √                   |                       | √                   |                       |
| Bed and Breakfast Inn                                      | √                  |                       | √                   |                       |                     |                       |
| Big Box  |                    | √                     |                     | √                     |                     | √                     |
| Building Material and Hardware Sales, Major                |                    |                       | √                   |                       |                     |                       |
| Building Material and Hardware Sales, Minor                |                    |                       | √                   |                       |                     |                       |
| Business Service   |                    |                       | √                   |                       | √                   |                       |
| Cabinet/Upholstery Shop                                    |                    |                       | √                   |                       | √                   |                       |
| Car Wash   | √                  |                       | √                   |                       | √                   |                       |
| Car Wash, Self-Serve                                       |                    |                       |                     | √                     |                     |                       |

**Exhibit A**  
**Straight Zoning Districts Adjacent to DNT**

| Use   | Retail District    |                       | Commercial District |                       | Commercial Corridor |                       |
|---|--------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|
|   | Permitted by Right | Permitted only by SUP | Permitted by Right  | Permitted only by SUP | Permitted by Right  | Permitted only by SUP |
| Catering Business   | √                  |                       | √                   |                       | √                   |                       |
| Cemetery or Mausoleum   |                    | √                     |                     | √                     |                     | √                     |
| Child Care Center, Incidental (Care of Children of Employees in the Building) |                    |                       |                     | √                     |                     | √                     |
| Child Care Center, Licensed   |                    | √                     |                     | √                     |                     | √                     |
| Civic/Convention Center   | √                  |                       | √                   |                       | √                   |                       |
| College, University, Trade, or Private Boarding School                        | √                  |                       | √                   |                       | √                   |                       |
| Commercial Amusement, Indoor  | √                  |                       | √                   |                       | √                   |                       |
| Commercial Amusement, Outdoor   |                    | √                     |                     | √                     |                     | √                     |
| Community Center  | √                  |                       | √                   |                       | √                   |                       |
| Contractor’s Shop and/or Storage Yard   |                    |                       | √                   |                       |                     |                       |
| Convenience Store with Gas Pumps (located at two major thoroughfares)         | √                  |                       | √                   |                       | √                   |                       |
| Convenience Store without Gas Pumps   | √                  |                       | √                   |                       | √                   |                       |
| Day Care Center, Adult  |                    | √                     |                     | √                     |                     |                       |
| Donation or Recycling Bin   |                    |                       | √                   |                       |                     |                       |
| Dry Cleaning, Major   |                    |                       | √                   |                       |                     |                       |
| Dry Cleaning, Minor   | √                  |                       | √                   |                       | √                   |                       |
| Equipment and Machinery Sales and Rental, Major                               |                    |                       |                     | √                     |                     |                       |
| Equipment and Machinery Sales and Rental, Minor                               | √                  |                       | √                   |                       |                     |                       |
| Fairgrounds/Exhibition Area   |                    |                       |                     | √                     |                     |                       |
| Farm, Ranch, Stable, Garden, or Orchard                                       | √                  |                       | √                   |                       | √                   |                       |
| Farmer’s Market   | √                  |                       | √                   |                       |                     |                       |
| Feed Store  | √                  |                       | √                   |                       |                     |                       |
| Flea Market, Inside   |                    |                       |                     | √                     |                     |                       |
| Food Truck Park   |                    | √                     |                     | √                     |                     |                       |



**Exhibit A**  
**Straight Zoning Districts Adjacent to DNT**

| Use   | Retail District    |                       | Commercial District |                       | Commercial Corridor |                       |
|---|--------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|
|   | Permitted by Right | Permitted only by SUP | Permitted by Right  | Permitted only by SUP | Permitted by Right  | Permitted only by SUP |
| Fraternal Organization, Lodge, Civic Club, Fraternity, or Sorority          | √                  |                       | √                   |                       | √                   |                       |
| Funeral Home (On-site Cremation Requires SUP)                               |                    |                       | √                   |                       | √                   |                       |
| Furniture Restoration   | √                  |                       | √                   |                       | √                   |                       |
| Furniture, Home Furnishings and Appliance Store                             | √                  |                       | √                   |                       |                     |                       |
| General Manufacturing/Industrial Use Complying with Performance Standards   |                    |                       |                     | √                     |                     |                       |
| Golf Course and/or Country Club   | √                  |                       | √                   |                       |                     |                       |
| Governmental Office   | √                  |                       | √                   |                       | √                   |                       |
| Gymnastics/Dance Studio   | √                  |                       | √                   |                       | √                   |                       |
| Health/Fitness Center   | √                  |                       | √                   |                       | √                   |                       |
| Helistop  |                    | √                     |                     | √                     |                     | √                     |
| Homebuilder Marketing Center  | √                  |                       | √                   |                       | √                   |                       |
| Hospital  |                    |                       | √                   |                       | √                   |                       |
| Hotel, Full Service   | √                  |                       | √                   |                       | √                   |                       |
| Hotel, Limited Service  |                    | √                     |                     | √                     |                     | √                     |
| Hotel, Residence/Extended Stay  |                    | √                     |                     | √                     |                     | √                     |
| House of Worship  | √                  |                       | √                   |                       | √                   |                       |
| Indoor Gun Range  |                    |                       |                     | √                     |                     | √                     |
| Insurance Office  | √                  |                       | √                   |                       | √                   |                       |
| Laundromat  | √                  |                       | √                   |                       | √                   |                       |
| Limited Assembly and Manufacturing Use Complying with Performance Standards |                    |                       | √                   |                       | √                   |                       |
| Locksmith/Security System Company   | √                  |                       | √                   |                       | √                   |                       |
| Machine Shop  |                    |                       | √                   |                       | √                   |                       |
| Massage Therapy, Licensed   | √                  |                       | √                   |                       | √                   |                       |
| Meeting/Banquet/Reception Facility  |                    | √                     |                     | √                     |                     | √                     |

**Exhibit A**  
**Straight Zoning Districts Adjacent to DNT**

| Use  | Retail District    |                       | Commercial District |                       | Commercial Corridor |                       |
|--|--------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|
|  | Permitted by Right | Permitted only by SUP | Permitted by Right  | Permitted only by SUP | Permitted by Right  | Permitted only by SUP |
| Mini-Warehouse/Public Storage                      |                    |                       |                     | √                     |                     |                       |
| Mobile Food Vendor                                 |                    | √                     |                     | √                     |                     |                       |
| Motorcycle Sales/Service                           |                    |                       |                     | √                     |                     |                       |
| Municipal Uses Operated by the Town of Prosper     | √                  |                       | √                   |                       | √                   |                       |
| Museum/Art Gallery                                 | √                  |                       | √                   |                       | √                   |                       |
| Nursery, Major (outside display)                   |                    |                       |                     | √                     |                     | √                     |
| Nursery, Minor (no outside display)                | √                  |                       | √                   |                       |                     |                       |
| Office and Storage Area for Public/Private Utility |                    |                       | √                   |                       |                     |                       |
| Office/Showroom                                    |                    |                       | √                   |                       | √                   |                       |
| Office/Warehouse/Distribution Center               |                    |                       | √                   |                       | √                   |                       |
| Open Storage                                       |                    |                       | √                   |                       | √                   |                       |
| Outdoor Merchandise Display, Temporary             | √                  |                       | √                   |                       |                     |                       |
| Outside Storage, Incidental to Primary Use         |                    | √                     |                     | √                     |                     | √                     |
| Park or Playground                                 | √                  |                       | √                   |                       | √                   |                       |
| Pet Day Care                                       | √                  |                       | √                   |                       | √                   |                       |
| Print Shop, Major                                  |                    |                       | √                   |                       | √                   |                       |
| Print Shop, Minor                                  | √                  |                       | √                   |                       | √                   |                       |
| Private Club                                       |                    | √                     |                     | √                     |                     | √                     |
| Private Recreation Center                          | √                  |                       | √                   |                       | √                   |                       |
| Private Utility, Other Than Listed                 | √                  |                       | √                   |                       | √                   |                       |
| Recreational Vehicle Sales and Service, New/Used   |                    |                       |                     | √                     |                     |                       |
| Recreational Vehicle/Truck Parking Lot or Garage   |                    |                       |                     | √                     |                     |                       |
| Recycling Center                                   |                    |                       |                     | √                     |                     | √                     |
| Recycling Collection Point                         | √                  |                       | √                   |                       | √                   |                       |
| Rehabilitation Care Institution                    |                    | √                     |                     | √                     |                     | √                     |
| Repair Service, Indoor                             | √                  |                       | √                   |                       |                     |                       |
| Research and Development Center                    |                    |                       | √                   |                       | √                   |                       |

**Exhibit A**  
**Straight Zoning Districts Adjacent to DNT**

| Use   | Retail District    |                       | Commercial District |                       | Commercial Corridor |                       |
|---|--------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|
|   | Permitted by Right | Permitted only by SUP | Permitted by Right  | Permitted only by SUP | Permitted by Right  | Permitted only by SUP |
| Restaurant (Drive-thru's Require SUP)                               | √                  |                       | √                   |                       | √                   |                       |
| Restaurant, Drive In  | √                  |                       | √                   |                       | √                   |                       |
| Retail Stores and Shops   | √                  |                       | √                   |                       |                     |                       |
| School District Bus Yard  | √                  |                       | √                   |                       | √                   |                       |
| School, Private or Parochial  | √                  |                       | √                   |                       | √                   |                       |
| School, Public  | √                  |                       | √                   |                       | √                   |                       |
| Sewage Treatment Plant/Pumping Station                              |                    | √                     |                     | √                     |                     | √                     |
| Small Engine Repair Shop  | √                  |                       | √                   |                       |                     |                       |
| Storage or Wholesale Warehouse                                      |                    |                       | √                   |                       | √                   |                       |
| Taxidermist   |                    |                       | √                   |                       |                     |                       |
| Telephone Exchange  | √                  |                       | √                   |                       | √                   |                       |
| Temporary Buildings for Churches, Public Schools and Gov't Agencies | √                  |                       | √                   |                       | √                   |                       |
| Temporary Buildings for Private Enterprises                         |                    | √                     |                     | √                     |                     | √                     |
| Theater, Neighborhood   | √                  |                       | √                   |                       | √                   |                       |
| Theater, Regional   |                    |                       | √                   |                       | √                   |                       |
| Trailer Rental  |                    |                       |                     | √                     |                     |                       |
| Transit Center  |                    |                       | √                   |                       |                     |                       |
| Truck Sales, Heavy Trucks   |                    |                       |                     | √                     |                     |                       |
| Veterinarian Clinic and/or Kennel, Indoor                           | √                  |                       | √                   |                       | √                   |                       |
| Veterinarian Clinic and/or Kennel, Outdoor                          |                    |                       |                     | √                     |                     |                       |
| Winery  |                    |                       | √                   |                       | √                   |                       |
| Wireless Communications and Support Structures (Cell Tower)         |                    | √                     |                     | √                     |                     | √                     |

**Exhibit B**  
**Planned Development (PD) Zoning Districts Adjacent to DNT**

|  | PD-33 (Prestonwood Baptist Church) |                       | PD-41 Prosper West (Children's Health & Matthews SW) |                       | PD-66 (Star Trail) |                       |
|--|------------------------------------|-----------------------|--|-----------------------|--------------------|-----------------------|
|  | Permitted by Right                 | Permitted only by SUP | Permitted by Right                                   | Permitted only by SUP | Permitted by Right | Permitted only by SUP |
| Administrative, Medical, or Professional Office            | √                                  |                       | √  |                       | √                  |                       |
| Alcoholic Beverage Establishment (Bar)                     |                                    |                       |  |                       |                    | √                     |
| Alcoholic Beverage Sales                                   |                                    |                       |  |                       | √                  |                       |
| Antique Shop and Used Furniture                            |                                    |                       | √  |                       | √                  |                       |
| Artisan's Workshop   |                                    |                       | √  |                       | √                  |                       |
| Assisted Living Facility                                   |                                    | √                     |  | √                     |                    | √                     |
| Athletic Stadium or Field, Private                         | √                                  |                       |  |                       |                    | √                     |
| Athletic Stadium or Field, Public                          | √                                  |                       |  |                       | √                  |                       |
| Auto Parts Sales, Inside                                   |                                    |                       | √  |                       | √                  |                       |
| Automobile Paid Parking Lot/Garage                         |                                    | √                     | √  |                       | √                  |                       |
| Automobile Parking Lot/Garage                              | √                                  |                       | √  |                       | √                  |                       |
| Automobile Repair, Major (Paint & Body or Outdoor Storage) |                                    |                       |  |                       |                    |                       |
| Automobile Repair, Minor                                   |                                    |                       |  |                       |                    | √                     |
| Automobile Sales, Used                                     |                                    |                       |  |                       |                    |                       |
| Automobile Sales/Leasing, New                              |                                    |                       |  |                       |                    | √                     |
| Automobile Storage   |                                    |                       |  |                       |                    |                       |
| Bank, Savings and Loan, or Credit Union                    | √                                  |                       | √  |                       | √                  |                       |
| Beauty Salon/Barber Shop                                   |                                    |                       | √  |                       | √                  |                       |
| Bed and Breakfast Inn                                      |                                    | √                     | √  |                       | √                  |                       |
| Big Box  |                                    |                       |  |                       |                    | √                     |
| Building Material and Hardware Sales, Major                |                                    |                       |  |                       |                    |                       |
| Building Material and Hardware Sales, Minor                |                                    |                       | √  |                       |                    |                       |
| Business Service   |                                    |                       | √  |                       |                    |                       |
| Cabinet/Upholstery Shop                                    |                                    |                       |  |                       |                    |                       |
| Car Wash   |                                    |                       |  |                       | √                  |                       |

**Exhibit B**  
**Planned Development (PD) Zoning Districts Adjacent to DNT**

|   | PD-33 (Prestonwood Baptist Church) |                       | PD-41 Prosper West (Children’s Health & Matthews SW) |                       | PD-66 (Star Trail) |                       |
|---|------------------------------------|-----------------------|--|-----------------------|--------------------|-----------------------|
|   | Permitted by Right                 | Permitted only by SUP | Permitted by Right                                   | Permitted only by SUP | Permitted by Right | Permitted only by SUP |
| Car Wash, Self-Serve  |                                    |                       |  |                       |                    |                       |
| Catering Business   |                                    |                       |  |                       | √                  |                       |
| Cemetery or Mausoleum   |                                    | √                     |  |                       |                    | √                     |
| Child Care Center, Incidental (Care of Children of Employees in the Building) |                                    | √                     |  |                       |                    |                       |
| Child Care Center, Licensed   |                                    | √                     |  |                       |                    | √                     |
| Civic/Convention Center   | √                                  |                       | √  |                       | √                  |                       |
| College, University, Trade, or Private Boarding School                        | √                                  |                       | √  |                       | √                  |                       |
| Commercial Amusement, Indoor  | √                                  |                       | √  |                       | √                  |                       |
| Commercial Amusement, Outdoor   |                                    |                       |  |                       |                    | √                     |
| Community Center  | √                                  |                       | √  |                       | √                  |                       |
| Contractor’s Shop and/or Storage Yard   |                                    |                       | √  |                       |                    |                       |
| Convenience Store with Gas Pumps (located at two major thoroughfares)         |                                    |                       |  |                       |                    |                       |
| Convenience Store without Gas Pumps   |                                    |                       | √  |                       | √                  |                       |
| Day Care Center, Adult  |                                    | √                     |  |                       |                    | √                     |
| Donation or Recycling Bin   |                                    |                       |  |                       |                    |                       |
| Dry Cleaning, Major   |                                    |                       |  |                       |                    |                       |
| Dry Cleaning, Minor   | √                                  |                       | √  |                       | √                  |                       |
| Equipment and Machinery Sales and Rental, Major                               |                                    |                       |  |                       |                    |                       |
| Equipment and Machinery Sales and Rental, Minor                               |                                    |                       |  |                       | √                  |                       |
| Fairgrounds/Exhibition Area   |                                    |                       |  |                       |                    |                       |
| Farm, Ranch, Stable, Garden, or Orchard                                       | √                                  |                       |  |                       | √                  |                       |
| Farmer’s Market   |                                    |                       | √  |                       | √                  |                       |
| Feed Store  |                                    |                       |  |                       | √                  |                       |
| Flea Market, Inside   |                                    |                       |  |                       |                    |                       |
| Food Truck Park   |                                    |                       |  | √                     |                    | √                     |

**Exhibit B  
Planned Development (PD) Zoning Districts Adjacent to DNT**

|   | PD-33 (Prestonwood Baptist Church) |                       | PD-41 Prosper West (Children’s Health & Matthews SW) |                       | PD-66 (Star Trail) |                       |
|---|------------------------------------|-----------------------|--|-----------------------|--------------------|-----------------------|
|   | Permitted by Right                 | Permitted only by SUP | Permitted by Right                                   | Permitted only by SUP | Permitted by Right | Permitted only by SUP |
| Fraternal Organization, Lodge, Civic Club, Fraternity, or Sorority          | √                                  |                       | √  |                       | √                  |                       |
| Funeral Home (On-site Cremation Requires SUP)                               |                                    |                       |  |                       |                    |                       |
| Furniture Restoration   |                                    |                       |  |                       | √                  |                       |
| Furniture, Home Furnishings and Appliance Store                             |                                    |                       | √  |                       | √                  |                       |
| General Manufacturing/Industrial Use Complying with Performance Standards   |                                    |                       |  |                       |                    |                       |
| Golf Course and/or Country Club   | √                                  |                       |  |                       | √                  |                       |
| Governmental Office   | √                                  |                       | √  |                       | √                  |                       |
| Gymnastics/Dance Studio   | √                                  |                       | √  |                       | √                  |                       |
| Health/Fitness Center   | √                                  |                       | √  |                       | √                  |                       |
| Helistop  |                                    | √                     |  |                       |                    | √                     |
| Homebuilder Marketing Center  | √                                  |                       |  |                       | √                  |                       |
| Hospital  | √                                  |                       | √  |                       |                    |                       |
| Hotel, Full Service   |                                    |                       | √  |                       | √                  |                       |
| Hotel, Limited Service  |                                    |                       | √  |                       | √                  |                       |
| Hotel, Residence/Extended Stay  |                                    |                       | √  |                       | √                  |                       |
| House of Worship  | √                                  |                       | √  |                       | √                  |                       |
| Indoor Gun Range  |                                    |                       |  |                       |                    |                       |
| Insurance Office  | √                                  |                       | √  |                       | √                  |                       |
| Laundromat  |                                    |                       | √  |                       | √                  |                       |
| Limited Assembly and Manufacturing Use Complying with Performance Standards |                                    |                       |  |                       |                    |                       |
| Locksmith/Security System Company   |                                    |                       | √  |                       | √                  |                       |
| Machine Shop  |                                    |                       |  |                       |                    |                       |
| Massage Therapy, Licensed   |                                    |                       | √  |                       | √                  |                       |

**Exhibit B  
Planned Development (PD) Zoning Districts Adjacent to DNT**

|  | PD-33 (Prestonwood Baptist Church) |                       | PD-41 Prosper West (Children’s Health & Matthews SW) |                       | PD-66 (Star Trail) |                       |
|--|------------------------------------|-----------------------|--|-----------------------|--------------------|-----------------------|
|  | Permitted by Right                 | Permitted only by SUP | Permitted by Right                                   | Permitted only by SUP | Permitted by Right | Permitted only by SUP |
| Meeting/Banquet/Reception Facility                 |                                    | √                     |  |                       |                    | √                     |
| Mini-Warehouse/Public Storage                      |                                    |                       |  | √                     |                    |                       |
| Mobile Food Vendor                                 |                                    | √                     |  | √                     |                    | √                     |
| Motorcycle Sales/Service                           |                                    |                       |  |                       |                    |                       |
| Multifamily Dwellings                              |                                    |                       | √  |                       |                    |                       |
| Municipal Uses Operated by the Town of Prosper     | √                                  |                       | √  |                       | √                  |                       |
| Museum/Art Gallery                                 | √                                  |                       | √  |                       | √                  |                       |
| Nursery, Major (outside display)                   |                                    |                       |  |                       |                    |                       |
| Nursery, Minor (no outside display)                |                                    |                       | √  |                       | √                  |                       |
| Office and Storage Area for Public/Private Utility |                                    |                       |  |                       |                    |                       |
| Office/Showroom                                    |                                    |                       |  |                       |                    |                       |
| Office/Warehouse/Distribution Center               |                                    |                       |  |                       |                    |                       |
| Open Storage                                       |                                    |                       |  |                       |                    |                       |
| Outdoor Merchandise Display, Temporary             |                                    |                       |  |                       | √                  |                       |
| Outside Storage, Incidental to Primary Use         |                                    |                       |  |                       |                    | √                     |
| Park or Playground                                 | √                                  |                       | √  |                       | √                  |                       |
| Pet Day Care                                       |                                    |                       | √  |                       | √                  |                       |
| Print Shop, Major                                  |                                    |                       |  |                       |                    |                       |
| Print Shop, Minor                                  | √                                  |                       | √  |                       | √                  |                       |
| Private Club                                       |                                    |                       |  | √                     |                    | √                     |
| Private Recreation Center                          | √                                  |                       | √  |                       | √                  |                       |
| Private Utility, Other Than Listed                 | √                                  |                       | √  |                       | √                  |                       |
| Recreational Vehicle Sales and Service, New/Used   |                                    |                       |  |                       |                    |                       |
| Recreational Vehicle/Truck Parking Lot or Garage   |                                    |                       |  |                       |                    |                       |
| Recycling Center                                   |                                    |                       |  |                       |                    |                       |
| Recycling Collection Point                         |                                    |                       | √  |                       | √                  |                       |

**Exhibit B  
Planned Development (PD) Zoning Districts Adjacent to DNT**

|   | PD-33 (Prestonwood Baptist Church) |                       | PD-41 Prosper West (Children’s Health & Matthews SW) |                       | PD-66 (Star Trail) |                       |
|---|------------------------------------|-----------------------|--|-----------------------|--------------------|-----------------------|
|   | Permitted by Right                 | Permitted only by SUP | Permitted by Right                                   | Permitted only by SUP | Permitted by Right | Permitted only by SUP |
| Rehabilitation Care Institution                                     |                                    | √                     |  | √                     |                    | √                     |
| Repair Service, Indoor  |                                    |                       |  |                       | √                  |                       |
| Restaurant (Drive-thru’s Require SUP)                               | √                                  |                       | √  |                       | √                  |                       |
| Restaurant, Drive In  |                                    |                       | √  |                       | √                  |                       |
| Retail Stores and Shops   |                                    |                       | √  |                       | √                  |                       |
| School District Bus Yard  | √                                  |                       | √  |                       | √                  |                       |
| School, Private or Parochial  | √                                  |                       | √  |                       | √                  |                       |
| School, Public  | √                                  |                       | √  |                       | √                  |                       |
| Sewage Treatment Plant/Pumping Station                              |                                    | √                     |  |                       |                    | √                     |
| Small Engine Repair Shop  |                                    |                       |  |                       | √                  |                       |
| Storage or Wholesale Warehouse                                      |                                    |                       |  |                       |                    |                       |
| Taxidermist   |                                    |                       | √  |                       |                    |                       |
| Telephone Exchange  | √                                  |                       | √  |                       | √                  |                       |
| Temporary Buildings for Churches, Public Schools and Gov’t Agencies | √                                  |                       |  |                       | √                  |                       |
| Temporary Buildings for Private Enterprises                         |                                    | √                     |  |                       |                    | √                     |
| Theater, Neighborhood   |                                    |                       |  |                       | √                  |                       |
| Theater, Regional   |                                    |                       | √  |                       |                    |                       |
| Trailer Rental  |                                    |                       |  |                       |                    |                       |
| Transit Center  |                                    |                       |  |                       |                    |                       |
| Truck Sales, Heavy Trucks   |                                    |                       |  |                       |                    |                       |
| Veterinarian Clinic and/or Kennel, Indoor                           |                                    |                       | √  |                       | √                  |                       |
| Veterinarian Clinic and/or Kennel, Outdoor                          |                                    |                       |  |                       |                    |                       |
| Winery  |                                    |                       | √  |                       |                    |                       |
| Wireless Communications and Support Structures (Cell Tower)         |                                    | √                     |  | √                     |                    | √                     |



**Exhibit C**  
**Planned Development (PD) Zoning Districts Adjacent to DNT**

| Use   | PD-69 (SEC DNT/Frontier Pkwy/Metten Tract) |                       | PD-75 (NWC DNT/Prosper Trail) |                       |
|---|--|-----------------------|-------------------------------|-----------------------|
|   | Permitted by Right                         | Permitted only by SUP | Permitted by Right            | Permitted only by SUP |
| Administrative, Medical, or Professional Office                               | √  |                       | √                             |                       |
| Alcoholic Beverage Establishment (Bar)  |  | √                     | √                             | √                     |
| Alcoholic Beverage Sales  | √  |                       | √                             |                       |
| Antique Shop and Used Furniture   | √  |                       | √                             |                       |
| Artisan's Workshop  | √  |                       | √                             |                       |
| Assisted Living Facility  |  | √                     |                               | √                     |
| Athletic Stadium or Field, Private  |  | √                     |                               |                       |
| Athletic Stadium or Field, Public   | √  |                       |                               |                       |
| Auto Parts Sales, Inside  | √  |                       | √                             |                       |
| Automobile Paid Parking Lot/Garage  | √  |                       | √                             |                       |
| Automobile Parking Lot/Garage   | √  |                       | √                             |                       |
| Automobile Repair, Major (Paint & Body or Outdoor Storage)                    |  |                       |                               |                       |
| Automobile Repair, Minor  |  | √                     |                               | √                     |
| Automobile Sales, Used  |  |                       |                               |                       |
| Automobile Sales/Leasing, New   |  | √                     |                               | √                     |
| Automobile Storage  |  |                       |                               |                       |
| Bank, Savings and Loan, or Credit Union                                       | √  |                       | √                             |                       |
| Beauty Salon/Barber Shop  | √  |                       | √                             |                       |
| Bed and Breakfast Inn   | √  |                       | √                             |                       |
| Big Box   |  | √                     |                               | √                     |
| Building Material and Hardware Sales, Major                                   |  |                       |                               |                       |
| Building Material and Hardware Sales, Minor                                   |  |                       |                               |                       |
| Business Service  |  |                       |                               |                       |
| Cabinet/Upholstery Shop   |  |                       |                               |                       |
| Car Wash  | √  |                       | √                             |                       |
| Car Wash, Self-Serve  |  |                       |                               |                       |
| Catering Business   | √  |                       | √                             |                       |
| Cemetery or Mausoleum   |  | √                     |                               |                       |
| Child Care Center, Incidental (Care of Children of Employees in the Building) |  |                       |                               |                       |
| Child Care Center, Licensed   |  | √                     |                               | √                     |
| Civic/Convention Center   | √  |                       | √                             |                       |
| College, University, Trade, or Private Boarding School                        | √  |                       | √                             |                       |
| Commercial Amusement, Indoor  | √  |                       | √                             |                       |
| Commercial Amusement, Outdoor   |  | √                     |                               |                       |

## Exhibit C

## Planned Development (PD) Zoning Districts Adjacent to DNT

| Use   | PD-69 (SEC DNT/Frontier Pkwy/Metten Tract) |                       | PD-75 (NWC DNT/Prosper Trail) |                       |
|---|--|-----------------------|-------------------------------|-----------------------|
|   | Permitted by Right                         | Permitted only by SUP | Permitted by Right            | Permitted only by SUP |
| Community Center  | √  |                       | √                             |                       |
| Contractor's Shop and/or Storage Yard                                     |  |                       |                               |                       |
| Convenience Store with Gas Pumps (located at two major thoroughfares)     | √  |                       |                               | √                     |
| Convenience Store without Gas Pumps                                       | √  |                       | √                             |                       |
| Day Care Center, Adult  |  | √                     |                               | √                     |
| Donation or Recycling Bin   |  |                       |                               |                       |
| Dry Cleaning, Major   |  |                       |                               |                       |
| Dry Cleaning, Minor   | √  |                       | √                             |                       |
| Equipment and Machinery Sales and Rental, Major                           |  |                       |                               |                       |
| Equipment and Machinery Sales and Rental, Minor                           | √  |                       | √                             |                       |
| Fairgrounds/Exhibition Area   |  |                       |                               |                       |
| Farm, Ranch, Stable, Garden, or Orchard                                   | √  |                       | √                             |                       |
| Farmer's Market   | √  |                       | √                             |                       |
| Feed Store  | √  |                       | √                             |                       |
| Flea Market, Inside   |  |                       |                               |                       |
| Food Truck Park   |  | √                     |                               | √                     |
| Fraternal Organization, Lodge, Civic Club, Fraternity, or Sorority        | √  |                       | √                             |                       |
| Funeral Home (On-site Cremation Requires SUP)                             |  |                       |                               |                       |
| Furniture Restoration   | √  |                       | √                             |                       |
| Furniture, Home Furnishings and Appliance Store                           | √  |                       | √                             |                       |
| General Manufacturing/Industrial Use Complying with Performance Standards |  |                       |                               |                       |
| Golf Course and/or Country Club   | √  |                       | √                             |                       |
| Governmental Office   | √  |                       | √                             |                       |
| Gymnastics/Dance Studio   | √  |                       | √                             |                       |
| Health/Fitness Center   | √  |                       | √                             |                       |
| Helistop  |  | √                     |                               | √                     |
| Homebuilder Marketing Center  | √  |                       | √                             |                       |
| Hospital  |  |                       |                               |                       |
| Hotel, Full Service   | √  |                       | √                             |                       |
| Hotel, Limited Service  |  | √                     | √                             |                       |
| Hotel, Residence/Extended Stay  |  | √                     | √                             |                       |
| House of Worship  | √  |                       | √                             |                       |
| Indoor Gun Range  |  |                       |                               |                       |
| Insurance Office  | √  |                       | √                             |                       |
| Laundromat  | √  |                       | √                             |                       |

**Exhibit C**  
**Planned Development (PD) Zoning Districts Adjacent to DNT**

| Use   | PD-69 (SEC DNT/Frontier Pkwy/Metten Tract) |                       | PD-75 (NWC DNT/Prosper Trail) |                       |
|---|--|-----------------------|-------------------------------|-----------------------|
|   | Permitted by Right                         | Permitted only by SUP | Permitted by Right            | Permitted only by SUP |
| Limited Assembly and Manufacturing Use Complying with Performance Standards |  |                       |                               |                       |
| Locksmith/Security System Company   | √  |                       | √                             |                       |
| Machine Shop  |  |                       |                               |                       |
| Massage Therapy, Licensed   | √  |                       | √                             |                       |
| Meeting/Banquet/Reception Facility  |  | √                     |                               | √                     |
| Mini-Warehouse/Public Storage   |  |                       |                               |                       |
| Mobile Food Vendor  |  | √                     |                               | √                     |
| Motorcycle Sales/Service  |  |                       |                               |                       |
| Municipal Uses Operated by the Town of Prosper                              | √  |                       | √                             |                       |
| Museum/Art Gallery  | √  |                       | √                             |                       |
| Nursery, Major (outside display)  |  |                       |                               |                       |
| Nursery, Minor (no outside display)   | √  |                       | √                             |                       |
| Office and Storage Area for Public/Private Utility                          |  |                       |                               |                       |
| Office/Showroom   |  |                       |                               |                       |
| Office/Warehouse/Distribution Center  |  |                       |                               |                       |
| Open Storage  |  |                       |                               |                       |
| Outdoor Merchandise Display, Temporary                                      | √  |                       | √                             |                       |
| Outside Storage, Incidental to Primary Use                                  |  | √                     |                               | √                     |
| Park or Playground  | √  |                       | √                             |                       |
| Pet Day Care  | √  |                       | √                             |                       |
| Print Shop, Major   |  |                       |                               |                       |
| Print Shop, Minor   | √  |                       | √                             |                       |
| Private Club  |  | √                     |                               | √                     |
| Private Recreation Center   | √  |                       | √                             |                       |
| Private Utility, Other Than Listed  | √  |                       | √                             |                       |
| Recreational Vehicle Sales and Service, New/Used                            |  |                       |                               |                       |
| Recreational Vehicle/Truck Parking Lot or Garage                            |  |                       |                               |                       |
| Recycling Center  |  |                       |                               |                       |
| Recycling Collection Point  | √  |                       |                               |                       |
| Rehabilitation Care Institution   |  | √                     |                               | √                     |
| Repair Service, Indoor  | √  |                       | √                             |                       |
| Research and Development Center   |  | √                     |                               |                       |
| Restaurant (Drive-thru's Require SUP)                                       | √  |                       | √                             |                       |
| Restaurant, Drive In  | √  |                       | √                             |                       |
| Retail Stores and Shops   | √  |                       | √                             |                       |
| School District Bus Yard  | √  |                       |                               |                       |
| School, Private or Parochial  | √  |                       | √                             |                       |
| School, Public  | √  |                       | √                             |                       |

**Exhibit C  
Planned Development (PD) Zoning Districts Adjacent to DNT**

Item 8.

| Use   | PD-69 (SEC DNT/Frontier Pkwy/Metten Tract) |                       | PD-75 (NWC DNT/Prosper Trail) |                       |
|---|--|-----------------------|-------------------------------|-----------------------|
|   | Permitted by Right                         | Permitted only by SUP | Permitted by Right            | Permitted only by SUP |
| Sewage Treatment Plant/Pumping Station                              |  | √                     |                               |                       |
| Small Engine Repair Shop  | √  |                       | √                             |                       |
| Storage or Wholesale Warehouse                                      |  |                       |                               |                       |
| Taxidermist   |  |                       |                               |                       |
| Telephone Exchange  | √  |                       | √                             |                       |
| Temporary Buildings for Churches, Public Schools and Gov't Agencies | √  |                       | √                             |                       |
| Temporary Buildings for Private Enterprises                         |  | √                     |                               | √                     |
| Theater, Neighborhood   | √  |                       | √                             |                       |
| Theater, Regional   | √  |                       |                               |                       |
| Trailer Rental  |  |                       |                               |                       |
| Transit Center  |  |                       |                               |                       |
| Truck Sales, Heavy Trucks   |  |                       |                               |                       |
| Veterinarian Clinic and/or Kennel, Indoor                           | √  |                       | √                             |                       |
| Veterinarian Clinic and/or Kennel, Outdoor                          |  |                       |                               |                       |
| Winery  |  |                       |                               |                       |
| Wireless Communications and Support Structures (Cell Tower)         |  | √                     |                               | √                     |

**Exhibit D**  
**Proposed Permitted and Prohibited Uses**  
**DNT Overlay**  
~~Strikethrough~~ – Proposed Deleting Use

| Use   | Permitted by Right | Permitted only by SUP | Notes   |
|---|--------------------|-----------------------|---|
| Administrative, Medical, or Professional Office                               | √                  |                       |   |
| Alcoholic Beverage Establishment (Bar)  |                    | √                     |   |
| Alcoholic Beverage Sales  | √                  |                       |   |
| <del>Antique Shop and Used Furniture</del>                                    |                    |                       |   |
| <del>Artisan's Workshop</del>   |                    |                       |   |
| <del>Assisted Living Facility</del>   |                    |                       |   |
| <del>Athletic Stadium or Field, Private</del>                                 |                    |                       |   |
| <del>Athletic Stadium or Field, Public</del>                                  |                    |                       |   |
| <del>Auto Parts Sales, Inside</del>   |                    |                       |   |
| Automobile Paid Parking Lot/Garage  | √                  |                       |   |
| Automobile Parking Lot/Garage   | √                  |                       |   |
| <del>Automobile Repair, Major (Paint &amp; Body or Outdoor Storage)</del>     |                    |                       |   |
| <del>Automobile Repair, Minor</del>   |                    |                       |   |
| <del>Automobile Sales, Used</del>   |                    |                       |   |
| <del>Automobile Sales/Leasing, New</del>                                      |                    |                       |   |
| <del>Automobile Storage</del>   |                    |                       |   |
| Bank, Savings and Loan, or Credit Union                                       | √                  |                       |   |
| Beauty Salon/Barber Shop  |                    |                       | Conditional Use – Permitted only as an Incidental Use |
| <del>Bed and Breakfast Inn</del>  |                    |                       |   |
| Big Box   |                    | √                     |   |
| Building Material and Hardware Sales, Major                                   |                    | √                     |   |
| <del>Building Material and Hardware Sales, Minor</del>                        |                    |                       |   |
| Business Service  | √                  |                       |   |
| <del>Cabinet/Upholstery Shop</del>  |                    |                       |   |
| <del>Car Wash</del>   |                    |                       |   |
| <del>Car Wash, Self-Serve</del>   |                    |                       |   |
| Catering Business   | √                  |                       |   |
| <del>Cemetery or Mausoleum</del>  |                    |                       |   |
| Child Care Center, Incidental (Care of Children of Employees in the Building) | √                  |                       |   |
| <del>Child Care Center, Licensed</del>  |                    |                       |   |
| Civic/Convention Center   | √                  |                       |   |
| College, University, Trade, or Private Boarding School                        | √                  |                       |   |
| Commercial Amusement, Indoor  |                    | √                     |   |

**Exhibit D**  
**Proposed Permitted and Prohibited Uses**  
**DNT Overlay**  
~~Strikethrough~~ – Proposed Deleting Use

| Use   | Permitted by Right | Permitted only by SUP | Notes   |
|---|--------------------|-----------------------|---|
| Commercial Amusement, Outdoor   |                    |                       |   |
| Community Center  |                    |                       |   |
| Contractor's Shop and/or Storage Yard                                     |                    |                       |   |
| Convenience Store with Gas Pumps (located at two major thoroughfares)     |                    |                       |   |
| Convenience Store without Gas Pumps                                       |                    |                       |   |
| Day Care Center, Adult  |                    |                       |   |
| Donation or Recycling Bin   |                    |                       |   |
| Dry Cleaning, Major   |                    |                       |   |
| Dry Cleaning, Minor   |                    |                       | Conditional Use – Permitted only as an Incidental Use |
| Equipment and Machinery Sales and Rental, Major                           |                    |                       |   |
| Equipment and Machinery Sales and Rental, Minor                           |                    |                       |   |
| Fairgrounds/Exhibition Area   |                    |                       |   |
| Farm, Ranch, Stable, Garden, or Orchard                                   | √                  |                       |   |
| Farmer's Market   |                    |                       |   |
| Feed Store  |                    |                       |   |
| Flea Market, Inside   |                    |                       |   |
| Food Truck Park   |                    | √                     | Place a time limit as interim use                     |
| Fraternal Organization, Lodge, Civic Club, Fraternity, or Sorority        |                    |                       |   |
| Funeral Home (On-site Cremation Requires SUP)                             |                    |                       |   |
| Furniture Restoration   |                    |                       |   |
| Furniture, Home Furnishings and Appliance Store                           | √                  |                       |   |
| General Manufacturing/Industrial Use Complying with Performance Standards |                    |                       |   |
| Golf Course and/or Country Club   |                    |                       |   |
| Governmental Office   | √                  |                       |   |
| Gymnastics/Dance Studio   |                    | √                     |   |
| Health/Fitness Center   |                    | √                     |   |
| Helistop  |                    | √                     |   |
| Homebuilder Marketing Center  |                    |                       |   |
| Hospital  | √                  |                       |   |
| Hotel, Full Service   | √                  |                       |   |
| Hotel, Limited Service  |                    | √                     |   |
| Hotel, Residence/Extended Stay  |                    | √                     |   |
| House of Worship  | √                  |                       |   |
| Indoor Gun Range  |                    |                       |   |
| Insurance Office  | √                  |                       |   |

**Exhibit D**  
**Proposed Permitted and Prohibited Uses**  
**DNT Overlay**  
**~~Strikethrough~~ – Proposed Deleting Use**

| Use  | Permitted by Right | Permitted only by SUP | Notes   |
|--|--------------------|-----------------------|---|
| <del>Laundromat</del>  |                    |                       |   |
| <del>Limited Assembly and Manufacturing Use Complying with Performance Standards</del> |                    |                       |   |
| <del>Locksmith/Security System Company</del>   |                    |                       |   |
| <del>Machine Shop</del>  |                    |                       |   |
| Massage Therapy, Licensed  |                    |                       | Conditional Use – Permitted only as an Incidental Use |
| Meeting/Banquet/Reception Facility   |                    | √                     |   |
| <del>Mini-Warehouse/Public Storage</del>   |                    |                       |   |
| Mobile Food Vendor   |                    | √                     |   |
| <del>Motorcycle Sales/Service</del>  |                    |                       |   |
| Multifamily  |                    | √                     |   |
| Municipal Uses Operated by the Town of Prosper   | √                  |                       |   |
| Museum/Art Gallery   | √                  |                       |   |
| <del>Nursery, Major (outside display)</del>  |                    |                       |   |
| <del>Nursery, Minor (no outside display)</del>   |                    |                       |   |
| <del>Office and Storage Area for Public/Private Utility</del>                          |                    |                       |   |
| <del>Office/Showroom</del>   |                    |                       |   |
| <del>Office/Warehouse/Distribution Center</del>  |                    |                       |   |
| <del>Open Storage</del>  |                    |                       |   |
| Outdoor Merchandise Display, Temporary   | √                  |                       |   |
| <del>Outside Storage, Incidental to Primary Use</del>                                  |                    |                       |   |
| Park or Playground   | √                  |                       |   |
| <del>Pet Day Care</del>  |                    |                       |   |
| <del>Print Shop, Major</del>   |                    |                       |   |
| Print Shop, Minor  |                    |                       | Conditional Use – Permitted only as an Incidental Use |
| Private Club   |                    | √                     |   |
| <del>Private Recreation Center</del>   |                    |                       |   |
| Private Utility, Other Than Listed   | √                  |                       |   |
| <del>Recreational Vehicle Sales and Service, New/Used</del>                            |                    |                       |   |
| <del>Recreational Vehicle/Truck Parking Lot or Garage</del>                            |                    |                       |   |
| <del>Recycling Center</del>  |                    |                       |   |
| <del>Recycling Collection Point</del>  |                    |                       |   |
| <del>Rehabilitation Care Institution</del>   |                    |                       |   |
| <del>Repair Service, Indoor</del>  |                    |                       |   |
| Research and Development Center  |                    | √                     |   |

**Exhibit D**  
**Proposed Permitted and Prohibited Uses**  
**DNT Overlay**  
~~Strikethrough~~ – Proposed Deleting Use

| Use   | Permitted by Right | Permitted only by SUP | Notes                                      |
|---|--------------------|-----------------------|--|
| Restaurant (Drive-thru's Require SUP)                               | √                  |                       | Consider prohibiting drive-thru's outright |
| <del>Restaurant, Drive In</del>                                     |                    |                       |  |
| Retail Stores and Shops   | √                  |                       | Consider Min. Bldg Size                    |
| <del>School District Bus Yard</del>                                 |                    |                       |  |
| School, Private or Parochial  | √                  |                       |  |
| School, Public  | √                  |                       |  |
| <del>Sewage Treatment Plant/Pumping Station</del>                   |                    |                       |  |
| <del>Small Engine Repair Shop</del>                                 |                    |                       |  |
| <del>Storage or Wholesale Warehouse</del>                           |                    |                       |  |
| <del>Taxidermist</del>  |                    |                       |  |
| Telephone Exchange  | √                  |                       |  |
| Temporary Buildings for Churches, Public Schools and Gov't Agencies |                    | √                     |  |
| <del>Temporary Buildings for Private Enterprises</del>              |                    |                       |  |
| Theater, Neighborhood   | √                  |                       |  |
| Theater, Regional   | √                  |                       |  |
| <del>Trailer Rental</del>   |                    |                       |  |
| <del>Transit Center</del>   |                    |                       |  |
| <del>Truck Sales, Heavy Trucks</del>                                |                    |                       |  |
| <del>Veterinarian Clinic and/or Kennel, Indoor</del>                |                    |                       |  |
| <del>Veterinarian Clinic and/or Kennel, Outdoor</del>               |                    |                       |  |
| Winery ( <i>enclosed operations</i> )                               | √                  |                       |  |
| Wireless Communications and Support Structures (Cell Tower)         |                    | √                     |  |





## PARKS & RECREATION

**To:** Mayor and Town Council

**From:** Dudley Raymond, Parks and Recreation Director

**Through:** Harlan Jefferson, Town Manager  
Robyn Battle, Executive Director of Community Services

**Re:** Town Council Meeting – October 27, 2020

**Agenda Item:**

Update on the status of the Green Ribbon Project along US 380 and US 289 (Preston Road).

**Description of Agenda Item:**

TXDOT began work on the landscape and irrigation for US 380 and US 289 (Preston Road), August 2019. The improvements provided under the Green Ribbon Program include, concrete mow strips, trees, shrub beds and irrigation for trees and planting beds only. It does not include turf irrigation or sod/seeding for grass in the median. A separate agreement has been made with the TXDOT landscape contractor to install irrigation within the turf areas on SH 289. This is similar to the arrangement we had with the TXDOT Green Ribbon Funding project on US 289 that was constructed in 2015.

With increased maintenance and irrigation, Staff feels there is sufficient grass on the SH 289 median, and landscape area between the frontage and bridge abutments for the look to be very similar to the remainder of SH 289 in Prosper. On US 380, there will not be turf irrigation or sod added. The existing turf along US 380 is a TXDOT mix, weeds, and less grass than what is inside the town. There is no agreement with Frisco or McKinney for increase costs to provide additional grass and irrigation. Staff feels the lower quality of grass will be not as noticeable, due to the higher speed limits along US 380, being a border road with Mckinney and Frisco, and it is what is typically seen along roads of this size within the metroplex. The half moon beds with shrubs and ornamental trees will still be installed as well as the canopy trees with irrigation as part of the Green Ribbon project.

The City of Frisco's contractor is finalizing the construction of the street lights along US 380 from Lovers Lane to Custer Road. During the construction, it was discovered that there were discrepancies between the light pole locations on the landscape plans and those shown on the street light plans. TXDOT, who is managing the construction of the landscaping project, required revisions to be made to the landscape and irrigation plans to correctly show what has been installed in the field and designed. In researching the discrepancies, it appears that there is fault with the Town's consultant, the lighting designer and contractor. To meet the requirements of

TXDOT, the Town's consultant is revising the landscape and irrigation plans using the as-built drawings provided by the lighting contractor which were received in early October. Once the revisions are reviewed and approved by TXDOT, the contractor will be allowed to perform work on US 380.

Since the Green Ribbon Project has multiple projects tied together, the contractor is not required to install landscaping until all of the projects are ready for the installation of plants. Based on the latest schedule, the plantings along US 289 would be finished mid-April 2021.

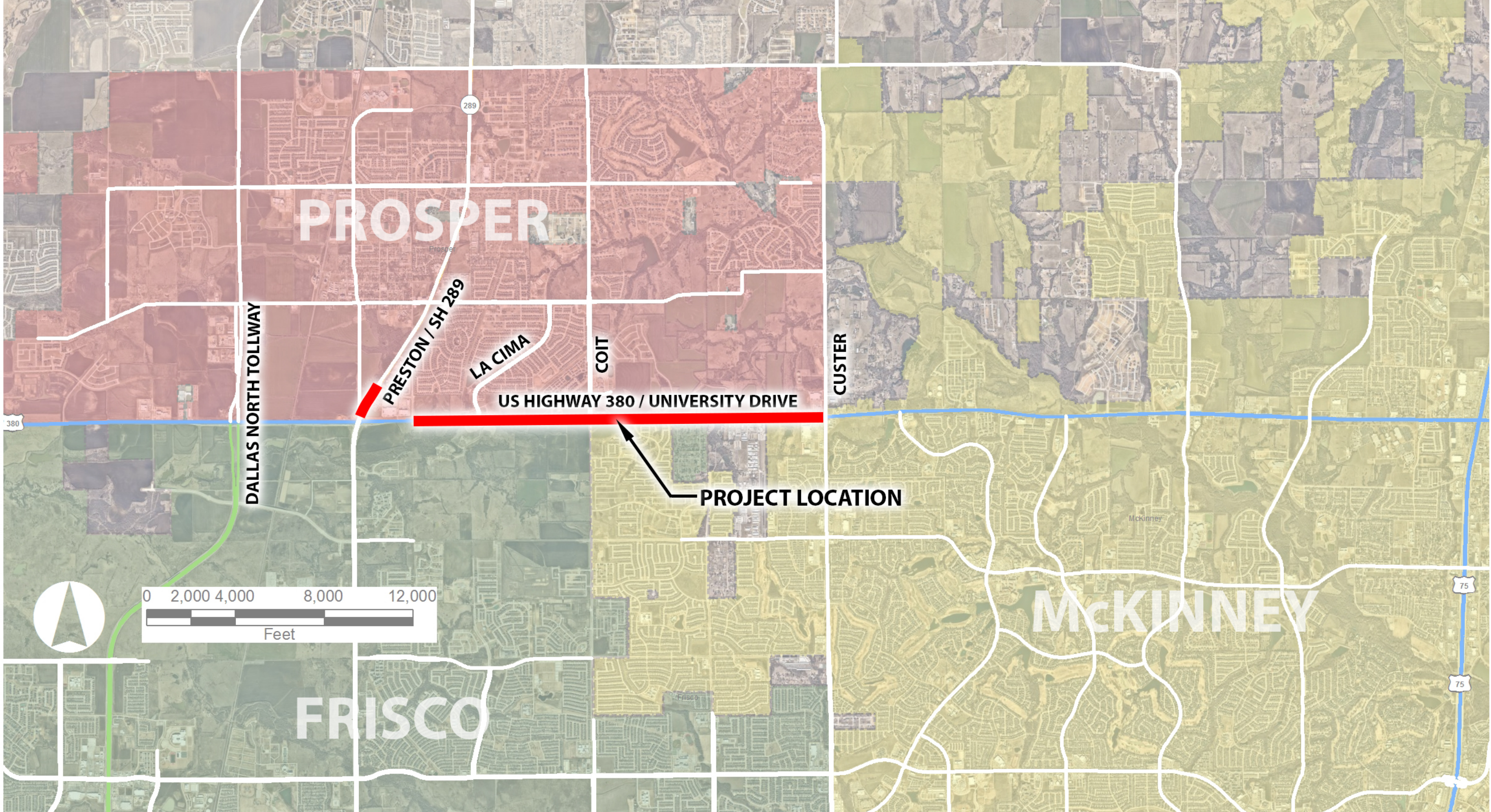
Town Staff has approached TXDOT about having the contractor finish the construction on the US 289 portion this Fall. If the contractor and TxDOT were willing to allow that portion to be split out, it would require the Town to take over maintenance sooner. TxDOT has not yet indicated if this is a possibility.

**Attached Documents:**

1. Landscape Exhibit

**Town Staff Recommendation:**

Town staff recommends that the Town Council give staff feedback and direction as need be.

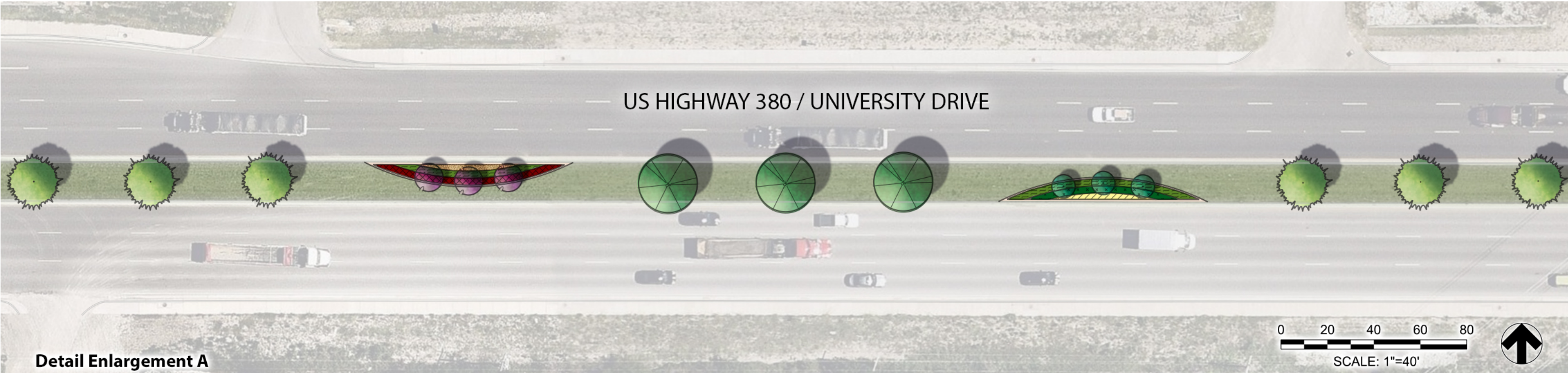


**LANDSCAPE MASTER PLAN - US 380**

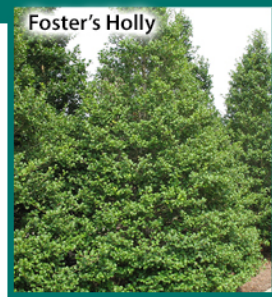
TOWN OF PROSPER, CITY OF MCKINNEY, CITY OF FRISCO, TEXAS - GREEN RIBBON FUNDING PROPOSAL

June 4, 2018

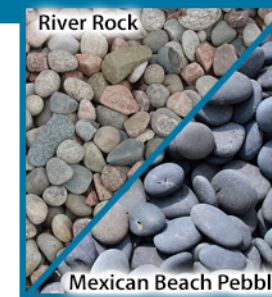
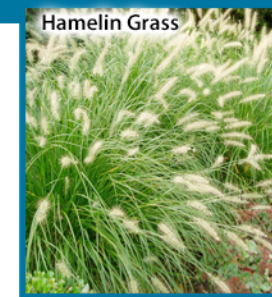
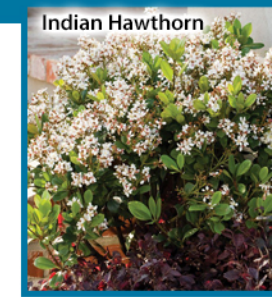
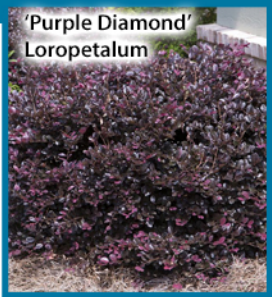


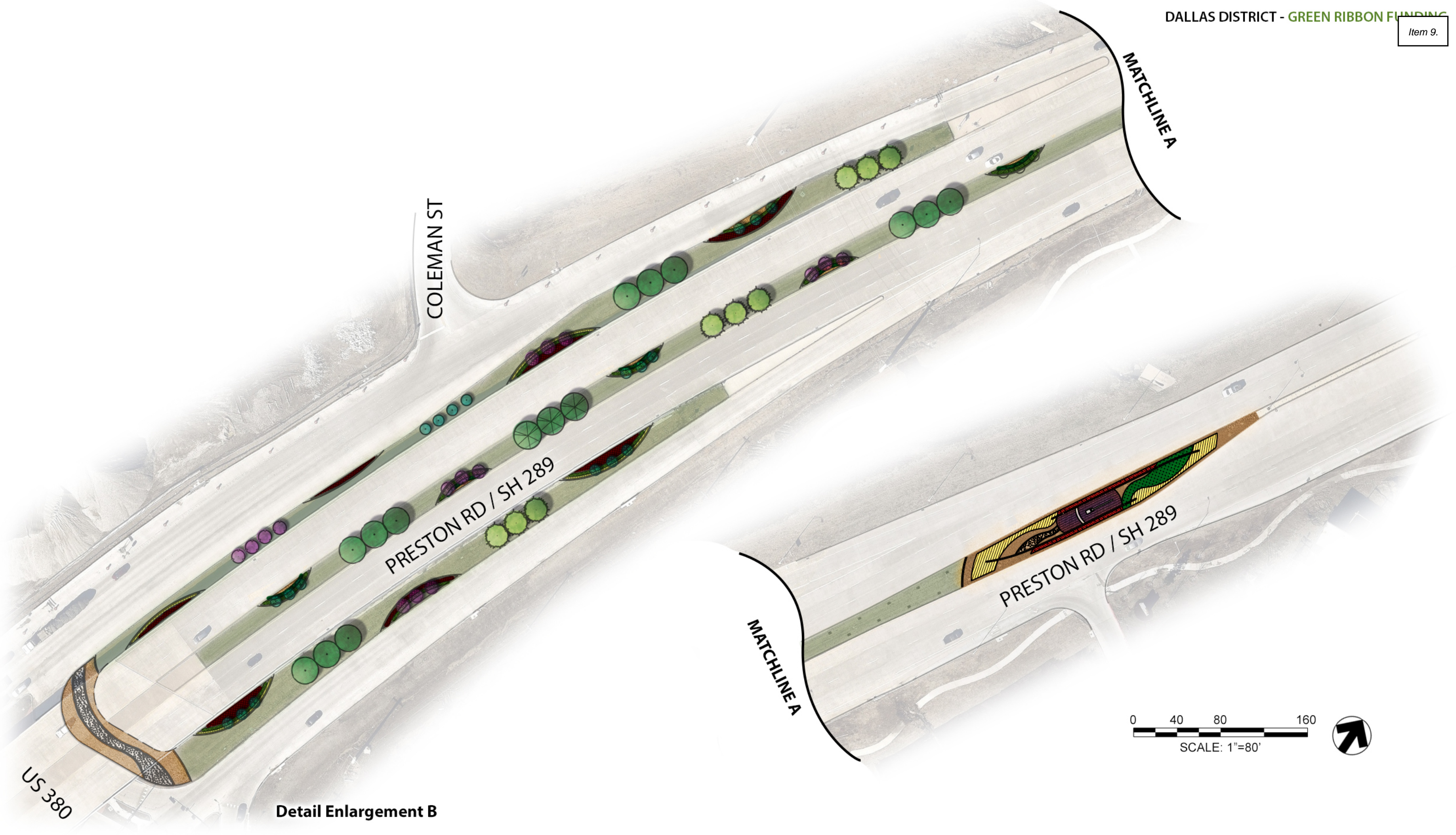


**Trees**



**Shrubs, Grasses, and Grandcovers**





COLEMAN ST

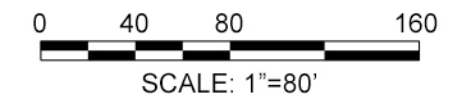
PRESTON RD / SH 289

PRESTON RD / SH 289

US 380

Detail Enlargement B

MATCHLINE A



# LANDSCAPE MASTER PLAN - US 380

TOWN OF PROSPER, CITY OF MCKINNEY, CITY OF FRISCO, TEXAS - GREEN RIBBON FUNDING PROPOSAL

June 4, 2018





## PARKS AND RECREATION

**To:** Mayor and Town Council

**From:** Dudley Raymond, Director of Parks and Recreation

**Through:** Harlan Jefferson, Town Manager  
Robyn Battle, Executive Director of Community Services

**Re:** Town Council Meeting – October 27, 2020

**Agenda Item:**

Update on Prosper Christmas Festival.

**Description of Agenda Item:**

Over the past month, staff and others have continued to plan and work on preparations for the Christmas Festival. During the last Event Committee meeting (September 24), the group discussed the event and the consensus was to continue planning for a festival on December 5. Committee members indicated that it was better to plan for the event hoping it would happen, yet understood there may be things out of the Town's control that would require the event to be cancelled.

Staff continues to watch: state guidelines; changes in state and local infection and hospitalization rates; what other communities and school districts are doing; general attitude and community concerns when the Christmas Festival is discussed; and feedback from vendors and sponsors.

Since the last update to Council on September 22, the following incidents have occurred. Town staff will continue to take these and other relevant factors into consideration when planning for the Christmas Festival:

- The majority of the Town's benchmark cities have announced they will cancel or greatly reduce their traditional Christmas events; these decisions have been announced over the last several weeks,
- Prosper ISD football games were canceled for two weeks due to COVID,
- Celina ISD and Prosper ISD have both closed school campuses for a week,
- Collin County and Denton County numbers for infections have started to trend upward, with Trauma Service Area E, Denton County, and Collin County hospitalization rates significantly higher than they were 30 days prior,
- Prosper ISD Homecoming Parade has been delayed.

**Attached Documents:**

1. Holiday Event – Benchmark Cities
2. COVID-19 Daily Stats, October 20

**Town Staff Recommendation:**

Town staff will continue to monitor the situation and plan accordingly. No action is required at this time.

| Holiday Event    |  |                          |
|------------------|--|--------------------------|
| Benchmark Cities |  | Result                   |
| The Colony       | Holiday in the Park has been cancelled. Parade of Lights changed to drive thru. Instead of an actual parade, the floats will be stationary and vehicles will drive past and view.  | Large event cancelled.   |
| Keller           | Holly Days, their main event, which includes the Tree Lighting Ceremony and Parade has been cancelled. They will be doing five smaller events including: carolers around the tree, hot chocolate in the park, a laser light show and the tree will be lit the evening after Thanksgiving.  | Large event cancelled.   |
| Colleyville      | No Response  |                          |
| Little Elm       | Christmas on the Beach will be reduced from two nights to one night. Examples of cancelled attractions are train rides, letters to Santa and their Christmas houses. During this event, Little Elm is planning a drive through light show. They are also planning a Christmas Parade and Tree Lighting event.  | Large event reduced.     |
| Coppell          | Staff is still working remotely. Have not received a response.   |                          |
| Frisco           | Large event Merry Main Street is cutting back on number of vendors, food vendors and spacing them out. Smaller events such as Breakfast with Santa and Frosty 5K race are still scheduled, they feel they area able to control number of attendees with tickets and reservations. Frisco is currently rethinking plans on their Light Show. Parade has been cancelled. | Large event on schedule. |
| McKinney         | The Home for the Holidays has been cancelled. This is their main event held in Downtown McKinney. They will have a carousel somewhere in the Downtown area and the merchants will decorate their businesses as always.   | Large event cancelled.   |
| Southlake        | They have cancelled their tree lighting ceremony to the public and a virtual tree lighting ceremony is being planned. Santa's Village has been cancelled. Will host small pop-up events throughout the month, they are in the planning stages now.   | Large event altered.     |
| Celina           | Tree lighting and holiday market are still on schedule. They will be adding sanitizing areas. They are concerned with getting enough volunteer participation from their community groups.  | Large event on schedule. |

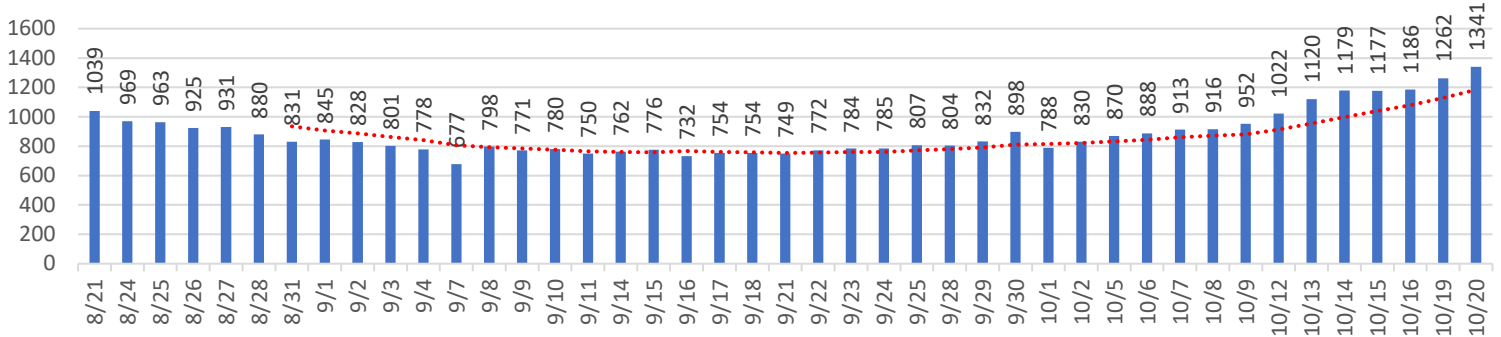


|                 |   |                      |
|-----------------|---|----------------------|
| University Park | Tree lighting ceremony, only. Santa ride through different sections of University Park each night for five days at 6:00p and ends each night at 8:00p | Large event reduced. |
|-----------------|---|----------------------|

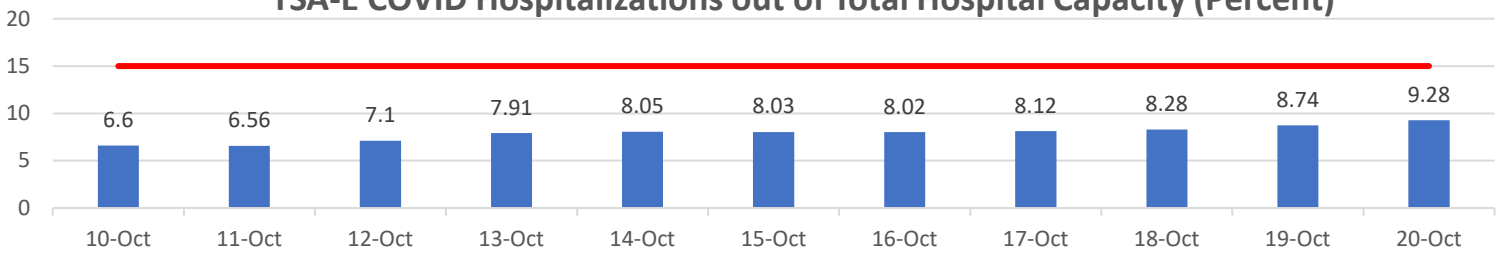
20-Oct-20

|  |           |
|--|-----------|
| TSA-E 2020 Population  | 8,080,080 |
| TSA-E Lab-Confirmed COVID-19 Patients Currently in Hospital          | 1,341     |
| TEXAS Hospital Lab-Confirmed COVID-19 Patients Currently in Hospital | 4,588     |

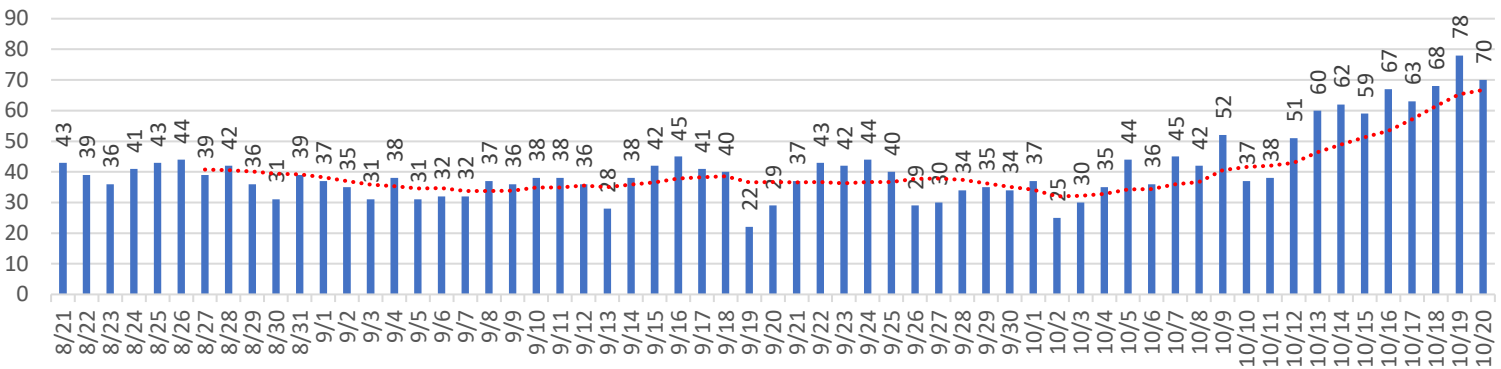
TSA-E COVID-19 Hospitalized



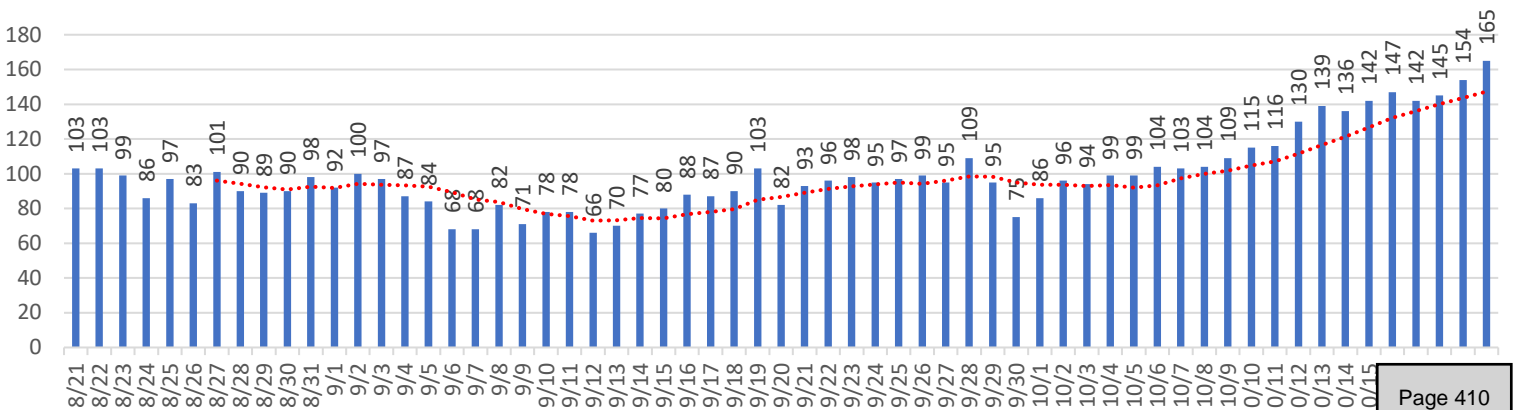
TSA-E COVID Hospitalizations out of Total Hospital Capacity (Percent)



Denton County COVID-19 Hospitalized



Collin County COVID-19 Hospitalized



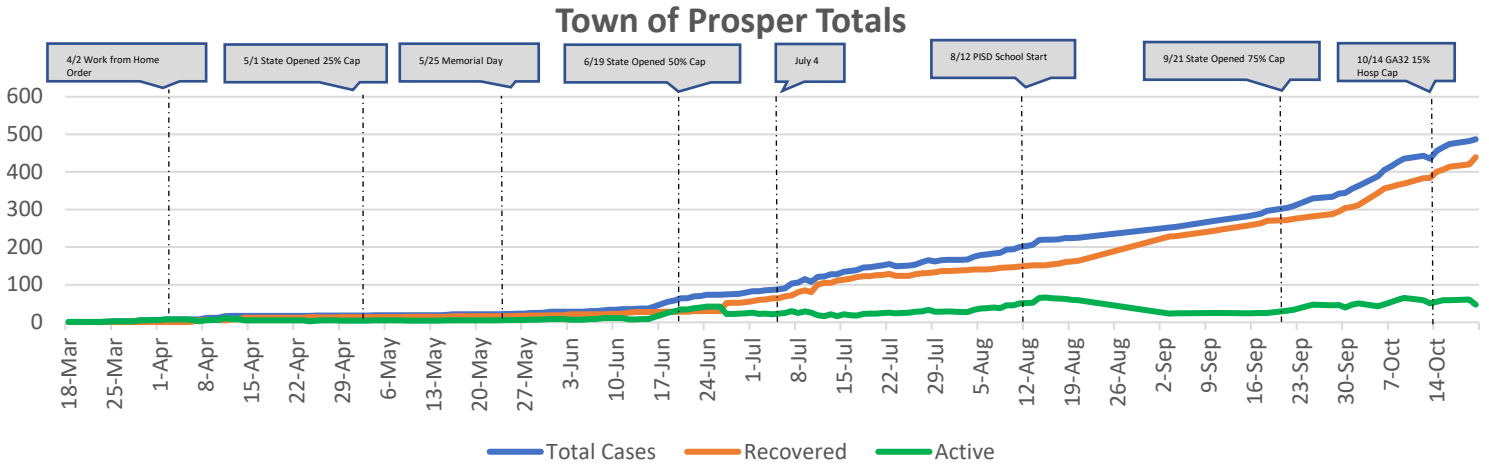
| Collin County   |        |
|-----------------|--------|
| Active Cases    | 773    |
| Confirmed Cases | 17,048 |
| Recovered Cases | 16,275 |
| Deceased        | 172    |

| Prosper (Collin County Side) |               |
|------------------------------|---------------|
| Active Cases                 | 30            |
| Confirmed Cases              | 434           |
| Recovered Cases              | 404           |
| Deceased                     | Not Available |

| Denton County   |        |
|-----------------|--------|
| Active Cases    | 2,483  |
| Confirmed Cases | 15,429 |
| Recovered Cases | 12,828 |
| Deceased        | 118    |

| Prosper (Denton County Side) |    |
|------------------------------|----|
| Active Cases                 | 17 |
| Confirmed Cases              | 53 |
| Recovered Cases              | 35 |
| Deceased                     | 1  |

| Town of Prosper Totals |     |
|------------------------|-----|
| Active Cases           | 47  |
| Confirmed Cases        | 487 |
| Recovered Cases        | 439 |



**Data Sources:**

Texas Department of State Health Services – Trauma Service Area Hospital Data

<https://txdshs.maps.arcgis.com/apps/opsdashboard/index.html#/0d8bdf9be927459d9cb11b9eaf6101f>

Collin County Update Novel Coronavirus (COVID-19)

<https://experience.arcgis.com/experience/c00baf45f12a4899aae1c812e29d6cde>

Denton County COVID-19 Statistics

<https://gis-covid19-dentoncounty.hub.arcgis.com/pages/covid-19cases>

<https://dentoncounty.maps.arcgis.com/apps/opsdashboard/index.html#/4ec6e734bb8e4b37ab7417b2dfc49976>



